PRE-TRIAL ORDER -- 1 3:23-cv-6142-TMC THOMPSON HOWLE VAUGHN 1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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I. JURISDICTION

The United States removed this case to federal court under 28 U.S.C. 1442(a)(1), the federal officer or agency removal statute, after "United States of America (Department of Internal Revenue)" was named as a third-party defendant. ECF Doc. 1. The United States also brought a crossclaim against the Estate and a counterclaim against Loren. ECF Doc. 18. Federal district courts have "original jurisdiction of any civil action arising under any Act of Congress providing for internal revenue, or revenue from imports or tonnage except matters within the jurisdiction of the Court of International Trade." 28 U.S.C. § 1340; see also 26 U.S.C. § 7402. They also have original jurisdiction of all "civil actions, suits or proceedings commenced by the United States." 28 U.S.C. § 1345. The Court has already ruled that it has supplemental jurisdiction over the remaining state-law claims. See 28 U.S.C. § 1367(a).

II. CLAIMS AND DEFENSES

A. Estate of Michael Cohen v. Loren Cohen, et al.

- 1. The plaintiff Estate of Michael Cohen ("*Plaintiff Estate*") through its Personal Representative Carol Vaughn will pursue at trial the following claims: (1) declaratory judgment that the 2020 Transaction was the product of undue influence by Loren Cohen; (2) a monetary judgment against defendants for violation of the Uniform Voidable Transactions Act ("UVTA"), chapter 19.40 RCW, for actual fraud (RCW 19.40.041(1)(a)) and constructive fraud (RCW 19.40.040(1)(b)); (3) damages against defendants for Loren Cohen's breaches of fiduciary duty to Michael; and (4) an award of attorneys' fees under "any applicable constitutional, statutory, or equitable grounds." Dkt. 108 at 35-40.
- 2. The defendants, Loren Cohen individually, Loren Cohen as trustee of the LMC Family Trust, and the marital community of Holland and Loren Cohen ("The Cohen Parties") will pursue at trial the following claim: Declaratory judgment that if the August 28, 2020 Agreement and/or the Amended Agreement are deemed invalid, in whole or in part, the Agreements are rescinded, any consideration paid shall be returned, any assets Michael transferred

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to Amara or to the MAC Trust are assets of the Estate subject to creditor claims, the MAC Trust is not entitled to the Remaining Preferred Return, and if Loren's equity position in estate assets is reduced, altered, or eliminated, Loren is entitled to compensation for his time spent dealing with those assets. Dkt. 172 at 71-75.

- 3. The Cohen Parties will pursue the following affirmative defenses: (1) Defendants are entitled to an offset for any payments made for the benefit of the Estate; (4) Plaintiff has failed to mitigate her damages and/or protect herself from avoidable consequences; (5) Defendants assert equitable and promissory estoppel as to all claims by Plaintiff; (6) Plaintiff's damages, if any, were caused by the acts or omissions of other defendants, third parties, or the Decedent Michael Cohen, over whom Loren Cohen had no control; (7) Plaintiff lacks standing to pursue some or all of the relief she claims; (8) enforcement of any securities transaction is barred by RCW 21.20.430(5) (9) Chapter 19.40 does not apply because the property was encumbered by a valid lien and therefore was not an "asset;" (10) The property transferred was taken in good faith and for reasonably equivalent value; and (11) Loren Cohen is a good-faith transferee under RCW 19.40.081(4) and is therefore entitled to a reduction in the amount of liability on any judgment.
- 4. Crossclaim defendant Amara Cohen and Susan Cohen as Trustee of the Michael Arthur Cohen Spousal Equivalent Trust (the MAC Spousal Trust) ("Defendant MAC Spousal *Trust*") will pursue at trial the following affirmative defenses and/or claims in response to Loren Cohen's crossclaims: (1) failure to state a claim; (2) waiver and equitable estoppel; (3) collateral estoppel, judicial estoppel, and res judicata; (4) statutes of limitation; and (5) unclean hands. Dkt. 114 at 7-8.
- 5. The Estate of Michael Cohen as a counterclaim defendant will pursue at trial the following affirmative defenses and/or claims in response to Defendant Cohen's counterclaims: (1) failure to state a claim; (2) full faith and credit must be given to the Washington State court orders pursuant to 28 U.S.C. Section 1738; (3) defendants' counterclaims are barred by collateral estoppel and res judicata; (4) Loren Cohen engaged in the financial exploitation of Michael Cohen while

he was a vulnerable adult; (5) Loren Cohen has unclean hands barring any equitable remedies; (6) Loren Cohen breached his fiduciary duties owed to the Decedent and the Decedent's estate in relation to the properties located in Mexico; (8) Loren Cohen has refused to return property that the Estate has an interest in; (9) the Personal Representative is indemnified by the Estate for any costs or attorneys' fees incurred relating to or arising from the probate or related litigation.; and (10) the Estate is entitled to an award of attorneys' fees against the defendants under RCW 11.96A.150 on all claims arising under or related to Title 11 RCW, including but not limited to the claims asserted by Loren Cohen and PC Collections that were dismissed with prejudice on summary judgment. Dkt. 170 at 9-12.

6. Cohen Parties' objection to the Estate's statement of claims and defenses

For the first time on March 27, 2025, the Estate alleges that it has a claim or affirmative defense for attorneys' fees against defendants under RCW 11.96A.150. The Estate has never pleaded a request for fees under RCW 11.96A.150. There is no reference to RCW 11.96A.150 in its complaints or answers. Nor did the Estate give notice in its pretrial statement that it would pursue this unpled relief. The Cohen Parties object to the Estate's attempts to plead a statutory basis for fees that is absent from its pleadings. Had the Cohen Parties known that Estate would make this claim, they would have asked to address this issue well in advance of the pretrial order. It is improper for the Estate to assert a claim for fees at this late date. The Cohen Parties further object to the Estate's statement above that its claims "arise under Washington state law on probate administration (Title 11 RCW)." The Estate's claims arise under common law and under RCW 19.40 et seq. The Estate has not pleaded any claims under Title 11. The Cohen Parties maintain that the Estate's late reference to Title 11 RCW is a back-end attempt to seek fees under RCW 11.96A.150. In addition, to the extent that paragraph 5 above, or paragraph C.4, below, purports to assert counterclaims, we object. The Estate did not assert any counterclaims and cannot do so in the pretrial order.

B. Amara Cohen et al. v. Loren Cohen et al.

- 1. Plaintiffs Amara Cohen and Susan Cohen as Trustee of the MAC Spousal Trust ("Plaintiff MAC Spousal Trust") will pursue at trial the following claims: (1) Loren Cohen made negligent misrepresentations, nondisclosures, acts, and omissions that were the direct and proximate cause of damages to the plaintiffs; and (2) Loren Cohen breached fiduciary duties that he owed to Amara Cohen in his capacity as trustee of the MAC Spousal Trust. Dkt. 114 at 18-19.
- 2. Defendants Loren and Holland Cohen's Answer was served on Amara and Susan Cohen in the State Court matter is the live responsive pleading under Federal Rule of Civil Procedure 81(c)(2). Amara and Susan Cohen filed the answer and ECF Doc. 169-2. Defendants Loren and Holland Cohen will pursue at trial the following claims/defenses (asserted at ECF Doc. 169-2, pages 16-19 and in the alternative, if necessary): (1) rescission, unjust enrichment, and restitution; (2) declaratory judgment that the agreements are enforceable, but to the extent the court disagrees, a declaration on the relative rights of the parties and that any assets Michael transferred to the Amara or thew MAC trust are assets of the Estate and that the MAC Trust if not entited to the benefit of and consideration tendered or to be tendered under the 2020 Agreements; (3) lack of subject matter jurisdiction over these claims; (4) failure to state a claim; (5) limitations or laches; (6) failure to join an indispensable party; (7) estoppel; (8) waiver; (9) failure of consideration; (10) payment and release; (11) statute of frauds; (12) lack of standing; (13) illegality; (14) claims are barred by fraud or constructive fraud; (15) consent; (16) equitable subrogation, rescission, unjust enrichment, restitution; (17) unclean hands; (18) relief barred by RCW 21.20.430; (19) relief barred by 11.40.051.

C. William Newcomer et al. v. Loren Cohen et al.

- 1. Plaintiffs and defendants have dismissed their claims, affirmative defenses, and counterclaims with prejudice. *See* Dkt. 181 (dismissing Dkt. 65 at 9-12).
- 2. Defendants Loren Cohen and PC Collections, LLC, et al. ("Loren Cohen and PCC") will pursue at trial the following crossclaim for declaratory judgment against the Estate of

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Michael Cohen, Amara Cohen, the MAC Spousal Trust: (1) Newcomer's assignment of judgment against Michael Cohen was valid and enforceable; (2) PC Collections has a valid charging order against any distributional rights Michael Cohen might have had to M&J Real Estate distributions or preferred returns in the absence of the 2020 Agreements; (3) Loren Cohen is entitled to the remedy of equitable subrogation for payments he or his companies made to third-party creditors after the purchase of Michael Cohen's business interests that were debts personal to Michael Cohen; (6) the transfer of assets from Michael to Loren violated the WSSA; (7) the Memorandum of Understanding regarding property in Mexico signed by Loren and Michael is void and unenforceable. Dkt. 65 at 12-14.

The **United States** intends to pursue the claims for relief it identified in its First Amended Answer, Crossclaim, and Counterclaim, Dkt. 14. Specifically, the United States seeks: (a) to reduce to judgment its federal tax assessment for Michael Cohen's 2020 income taxes against Carol Vaughn as the personal representative of the Estate of Michael Cohen (and solely in her capacity as personal representative); and (b) a judgment that Michael Cohen's transfer of his assets in the 2020 transaction is voidable under the Uniform Voidable Transfer Act ("UVTA").

- 3. Crossclaim defendant Amara Cohen and Susan Cohen as Trustee of the Michael Arthur Cohen Spousal Equivalent Trust (the MAC Spousal Trust) ("*Defendant MAC Spousal Trust*") will pursue at trial the following affirmative defenses and/or claims in response to Loren Cohen's crossclaims: (1) failure to state a claim; (2) waiver and equitable estoppel; (3) collateral estoppel, judicial estoppel, and res judicata; (4) statutes of limitation; and (5) unclean hands. Dkt. 114 at 7-8
- 4. The Estate of Michael Cohen as a crossclaim defendant will pursue at trial the following affirmative defenses and/: (1) failure to state a claim; (2) full faith and credit must be given to the Washington State court orders pursuant to 28 U.S.C. Section 1738; (3) defendants' claims are barred by collateral estoppel and res judicata; (4) Loren Cohen engaged in the financial

exploitation of Michael Cohen while he was a vulnerable adult; (5) Loren Cohen has unclean hands barring any equitable remedies; (6) Loren Cohen breached his fiduciary duties owed to the Decedent and the Decedent's estate in relation to the properties located in Mexico; (7) Loren Cohen has refused to return property that the Estate has an interest in; (8) the Personal Representative is indemnified by the Estate for any costs or attorneys' fees incurred relating to or arising from the probate or related litigation; (9) Loren Cohen and PC Collections failed to file a creditor's claim and their claims against the Estate arising from the 2020 Transfer are barred under the statute of limitations and RCW 11.40.051; (10) the Estate is entitled to an award of attorneys' fees against the defendants under RCW 11.96A.150 on all claims arising under or related to Title 11 RCW, including but not limited to the declaratory judgment claim asserted by Loren Cohen and PC Collections that was dismissed with prejudice on summary judgment; and (9) the Deadman's Statute, RCW 5.60.030 will prevent Loren Cohen and PC Collections from offering proof of their alleged claims. Dkt. 66 at 12-16.

5. Defendant Loren Cohen will pursue at trial the following affirmative defenses in response to the United States' claims: (1) statute of limitations; (2) laches; (3) estoppel; (4) payment; (5) statute of frauds; (6) waiver; (7) voiding the 2020 Transaction would result in no tax liability; (8) RCW 11.40.051 bars the United States' claim; (9) the assets transferred to Loren Cohen by Michael Cohen were taken in good faith and for reasonably equivalent value; (10) Loren Cohen is a good-faith transferee under RCW 19.40.081(4) and is therefore entitled to a reduction in the amount of liability; and (11) any defense of theory that applies to the Estate's UVTA claims applies to the Government's UVTA claims. Dkt. 20 at 6-7.

III. ADMITTED FACTS

The following facts are admitted by the parties:

A. The 2014 Transfer Agreement

1. Michael Cohen was a general contractor and property developer who owned numerous construction and real estate development business entities.

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2. Under the 2014 Agreement, Loren was designated the Managing Director of the Company.

Michael and Loren were designated "co-managers" of the Affiliated Entities.

B. <u>Events of 2020</u>

- 3. In January 2020, Michael was diagnosed with esophageal cancer.
- 4. At the time of the transaction, lawsuits filed by Newcomer and companies controlled by Ken Thomsen and his family were pending. Michael was a defendant in both lawsuits. Loren was a defendant in the *Thomsen* lawsuit.
- Michael died on December 6, 2020. He was survived by his wife Amara Cohen, two minor children, his adult sons Loren Cohen and Lee Cohen, his sister Susan Cohen, and two brothers, Matthew and Mark.

C. Relevant Probate Events

- Loren Cohen was appointed Personal Representative of the Estate of Michael Cohen on January 15, 2021. Loren Cohen did not request and was not granted non-intervention powers.
- 7. After Michael's death, Loren served as personal representative ("PR") of Michael's estate until he was later removed in December 2021. Dkt. 126-1; Dkt. 126-3.
- 8. In January 2022, the superior court appointed Carol Vaughn as successor Personal Representative of the Estate of Michael Cohen.

D. <u>Creditor's Claims</u>.

- 9. On February 3, 2021, Bank of America filed a creditor's claim in the amount of \$9,602.43.
- 10. On March 3, 2021, William Newcomer filed a creditor's claim in the amount of \$600,000.00 plus interest at 20 percent per annum compounded monthly from November 1, 2010 until paid, plus attorney's fees and costs.
- 11. On January 6, 2023, William Newcomer was awarded judgment against the Estate of Michael Cohen in the Promissory Note Lawsuit that had been pending since 2016 in the amount of \$3,643,994.73.

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- 27. This tax debt has not been paid. It has accrued interest and penalties. The outstanding balance as of April 21, 2025, is \$2,227,171.11.
- 28. The Successor PR filed a Notice of Insolvency.
- 29. None of the Remaining Preferred Return of \$1,257,170.67 referred to in the 2020 Transaction has been paid to the Estate.

IV. ISSUES OF LAW (NOT AGREED)

IV.1 <u>Plaintiff Estate's Statement Regarding Issues of Law</u> (agreed to by the United States, Amara Cohen, the MAC Spousal Trust, and the United States; not agreed to by The Cohen Parties).

The following are the issues of law to be determined by the court:

A. <u>UVTA Claim (Estate, United States, MAC Spousal Trust v. Loren Cohen).</u>

- 1. <u>Transfer.</u> Was the 2020 Agreement a "transfer" under RCW 19.40.011(17)?
- 2. <u>Asset.</u> Was the consideration due Michael under the 2014 Agreement, and/or Michael's 49.9% interest in the Company, and/or Michael's 49.9% interest in the Affiliated Entities, and/or Michael's interest in the Additional Affiliated Entities, and/or Michael's interest in the Management Entities, and/or Michael's interest in the Partnership Entities an "asset" under RCW 19.40.011(2)?
- 3. <u>Creditors and Claims.</u> Are the United States, the Decedent's minor children through the RCW 11.54 Petition filed by the GAL, and parties who have filed timely creditor's claims under RCW 11.40, "creditors" under RCW 19.40.011(4), and are their demands for payment from the Estate "claims" as defined under RCW 19.40.011(3)?
- 4. <u>Judicial Estoppel.</u> Can Loren take positions regarding the value of assets transferred under the 2020 Agreement that differ from his representations under penalty of perjury to regulatory bodies and in other judicial proceedings?
 - 5. Actual Fraud (RCW 19.40.041(1)(a), (2)). Did Michael have the actual intent to

hinder, delay or defraud his creditors when he entered into the 2020 Agreement that modified the consideration due under the 2014 Agreement and transferred Michael's remaining interest in the Company, the Affiliated Entities, the Additional Affiliated Entities, the Management Entities, and the Partnership Entities to Loren Cohen shortly before he died? Specifically:

- a. Was the transfer to an insider?
- Did Michael retain possession or control of the property transferred?
- Was the transfer disclosed or concealed?
- d. Before the transfer was made, had Michael been sued or threatened with suit?
- Was the transfer of substantially all of Michael's assets?
- Was the value of the consideration received by the debtor reasonably equivalent to the value of the asset transferred?
- Was Michael insolvent or did he become insolvent shortly after the transfer was made?
- h. Did the transfer occur shortly before or shortly after a substantial debt was incurred?
- Did Michael transfer essential assets of the business to a lienor who transferred the assets to an insider?
- 6. Constructive Fraud (RCW 19.40.041(1)(b)). Were the modification of the 2014 Agreement and the transfer of Michael's assets to Loren shortly before Michael's death a transfer done without receiving a reasonably equivalent value and at a time when Michael was engaged in a business or transaction for which his remaining assets were unreasonably small or Michael intended or reasonably should have believed that he would incur debts beyond his ability to pay as they became due? Specifically:

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- b. How much of the Preferred Return under the 2014 Agreement was still owed in 2020; i.e., was the Remaining Preferred Return stated in the 2020 Transaction the amount that was actually due, or did this figure represent a reduction of the consideration owed under the 2014 Agreement? If it was a reduction, did Loren give Michael reasonably equivalent value for the modification of the Remaining Preferred Return?
- c. What is the value of the indemnity provision in the 2020 Transaction, who has the burden of proving this value, and how is the value to be measured?
- 7. <u>Transferee Liability (RCW 19.40.081(1)).</u> If the plaintiffs establish actual or constructive intent, can Loren establish that he "took in good faith and for a reasonably equivalent value"?
- 8. <u>Is</u> the Estate entitled to judgment against Loren for the "amount necessary to satisfy the creditor's claim," or the value of the assets transferred, whichever is less, under RCW 19.40.081(2)(a), and "[a]ny other relief the circumstances may require," under RCW 19.40.071.
- 9. <u>Attorney Fees.</u> If the Estate prevails on this claim, is it entitled to an award of attorneys' fees against Loren Cohen under RCW 11.96A.150?

B. Breach of Fiduciary Duty Claim (Estate v. Loren Cohen).

- 1. Did Loren Cohen have a fiduciary relationship with Michael Cohen prior to and during the 2020 Transaction?
- 2. If Loren is found to have been in a fiduciary relationship with Michael, did Loren Cohen breach his fiduciary duty of loyalty and good faith by entering into the 2020 Transaction with Michael?

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- 3. If Loren breached his fiduciary duties owed to Michael, did his breaches cause financial harm to Michael and Michael's Estate, and if they did, what amount is necessary to make the Estate whole for these losses?
- 4. If Loren is liable for breach of fiduciary duty, can he establish any basis for reducing the judgment based on offsets or equitable subrogation that he allegedly paid on Michael's behalf?
- 5. Are Loren's claims for offset and equitable subrogation barred by unclean hands or estoppel?
- 6. <u>Attorney Fees.</u> If the Estate prevails on this claim, is it entitled to an award of attorneys' fees against Loren Cohen under RCW 11.96A.150?

C. <u>Undue Influence Claim (Estate v. Loren Cohen).</u>

- 1. Was Loren Cohen in a fiduciary or confidential relationship with Michael Cohen at the time of the 2020 Agreement?
- 2. Did Michael transfer assets to Loren for less than equivalent value while Loren was in a fiduciary or confidential relationship with Michael?
- 3. Does Loren Cohen have the burden of proving by clear, cogent and convincing evidence that he did not unduly influence Michael because the 2020 Agreement was an *inter vivos* transfer for less than full value, *see, e.g., Endicott v. Saul,* 142 Wn. App. 899, 909-10, 176 P.3d 560 (2008), *or* does the Estate have the burden of proving by clear, cogent and convincing evidence that Loren Cohen unduly influenced Michael to procure the 2020 Agreement, *see, e.g., In re Estate of Barnes,* 185 Wn.2d 1, 367 P.3d 580 (2015)?
- 4. If Loren has the burden of proof, has Loren produced clear, cogent and convincing evidence that the 2020 Transaction was not the product of undue influence?
- 5. If the Estate has the burden of proof, has the Estate produced clear, cogent, and convincing evidence that the 2020 Transaction was the product of undue influence by Loren?
- 6. <u>Attorney Fees.</u> If the Estate prevails on this claim, is it entitled to an award of attorneys' fees against Loren Cohen under RCW 11.96A.150?

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D. Negligence (MAC Spousal Trust v. Loren Cohen).

- 1. Did Loren owe Amara and the MAC Spousal Trust a duty of care based upon his position as Trustee and legal advisor of the MAC Spousal Trust?
- 2. Did Loren breach his duty of care by misrepresenting in the 2020 Agreement that the CWS Investment was new consideration when it was already being held for the Trust's benefit?
- 3. Did Loren breach his duty of care by falsely advising Amara Cohen that she needed to enter into the Successor Trustee Agreement to replace Loren as Trustee?
- 4. Did Loren breach his duty of care by including waiver and release provisions in the Successor Trustee Agreement that were detrimental to Amara without explaining their significance.
- 5. Did Loren's breaches cause financial harm to Amara Cohen and the MAC Spousal Trust and what measure of damages is necessary to compensate Amara and the Trust for their losses?

E. Breach of Fiduciary Duty (MAC Spousal Trust v. Loren Cohen).

- 1. Was Loren a fiduciary in his role as trustee of the MAC Spousal Trust?
- 2. Did Loren owe Amara Cohen fiduciary duties of care, loyalty, and good faith in his role as trustee of the MAC Spousal Trust?
- 3. Did Loren breach his fiduciary duties by acts and omissions, including but not limited to:
 - a. Reducing the consideration owed to the Trust under the 2014 Agreement for the benefit of Loren and his companies;
 - b. Failing to consult Amara regarding material transactions affecting the Trust;
 - c. Drafting agreements that benefited himself at the expense of the Trust;
 - d. Failing to advise Amara to seek independent counsel regarding agreements that affected her rights;

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- e. Including self-serving provisions in agreements while serving as Trustee; and
- f. Failing to distribute the Mexican assets that were supposed to go to the Trust?
- 4. Did Loren's breaches cause financial harm to Amara Cohen and the Trust, and what measure of damages is necessary to compensate Amara and the Trust for their losses?

F. Equitable Subrogation and Indemnification

- 1. If the plaintiffs establish that Loren is liable under any of the theories of recovery pleaded in this case, is Loren entitled to reduce the amount of damages owes as a setoff based payments he allegedly made on behalf of Michael or the Estate?
- 2. Are Loren's claims for equitable subrogation barred by his unclean hands or estoppel?

G. Attorneys Fees (Estate v. Cohen Defendants)

- 1. For any claims arising under or related to Title 11 RCW, does RCW 11.96A.150 provide authority to award fees and costs as the court deems equitable?
- 2. Is the Estate entitled to an award of attorneys' fees and costs against Loren Cohen and PC Collections under RCW 11.96A.150 for defending against their declaratory judgment claim relating to PC Collections' creditor's claim, which this Court dismissed with prejudice on summary judgment?
- 3. Is the Estate entitled to an award of attorneys' fees and costs against Loren Cohen and PC Collections under RCW 11.96A.150 for defending against their breach of fiduciary duty counterclaims and crossclaims, which this Court dismissed with prejudice on summary judgment?

VI.2 Cohen Parties' Statement Regarding Legal Issues:

Cohen Parties' Statement Regarding Issues of Law (not agreed to by the Estate).

A. Uniform Voidable Transactions Act Claims

1. If the statement in the August 28, 2020 Agreement or Amended Agreement

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regarding the amount of the Remaining Preferred Return a "transfer" within the meaning of RCW 19.40.011(17)?

- 2. Is the 49.9% interest in the Company that Mike sold to Loren an "asset" within the meaning of RCW 19.40.011(2)(a) when it was encumbered by a lien owned by PCC?
- 3. If any of the following are found to be both transfers and assets—the statement regarding the amount of the Remaining Preferred Return, the 49.9% interest in the Company, or the Additional Affiliated Entities and Partnership Entities to the Company—can the Estate or Government prove any factors under RCW 19.40.041(2) other than Loren was an insider, and Mike had been sued before Mike transferred the Additional Affiliated Entities and Partnership Entities to the Company?
- 4. If the Estate and Government can show only a few factors under RCW 19.40.041(2), is that sufficient evidence to support an inference of fraud?
- 5. Where it is undisputed that at least by 2016, if not earlier, Mike's Last Will and Testament stated that he intended to leave his business assets to Loren, can the Estate and Government prove by a preponderance of the evidence that Mike transferred assets to Loren with actual intent to defraud, delay, or hinder a creditor?
- 6. Did Loren take Mike's assets in good faith and for reasonably equivalent value such that any transfer is not voidable under RCW 19.40.081(1)?
- Is "good faith" defined as "(1) An honest belief in the propriety of the activities in 7. question; (2) no intent to take unconscionable advantage of others; and (3) no intent to, or knowledge of the fact that the activities in question will hinder, delay, or defraud others," as set forth in Sparkman & McLean Co. v. Derber, 4 Wn. App. 341, 348, 481 P.2d 585, 591 (1971)?
- 8. Would any arms-length purchase have paid money for the assets Mike's transferred pursuant to the definition of "reasonably equivalent value" in RCW 19.40.011(13).

- 9. Whether if the Estate obtains a judgment under the UVTA, it should be adjusted downward for value that Loren provided to Mike under the indemnity provision of the Amended Agreement pursuant to RCW 19.40.081(c). RCW 19.40.071(a)(1); RCW 19.40.081.
- 10. Whether reasonably equivalent value should be determined by evaluating the existing circumstances, and is not based on a precise dollar for dollar measurement?
- 11. Whether indirect benefits to the Estate may constitute value if sufficiently concrete and identifiable?
- 12. Whether payments to third parties to satisfy Mike's and the Estate's obligations may constitute value?
 - 13. Whether settlements that reduced Mike's and the Estate's liability constitute value?
- 14. Whether the Estate and the Government can prove that Mike and the Estate received less than reasonably equivalent value, as is their burden under RCW 19.40.041(1)(b).
- 15. Whether and to the extent damages are capped under the UVTA to the lessor of the value of the asset or the amount of "claims" asserted by a "creditor."
- 16. Whether the administrative fees and costs the Estate incurred in this litigation are "claims" for purposes of the UVTA.

B. Declaratory Relief Regarding the Remaining Preferred Return

- 1. If any assets that Mike transferred through the 2020 Agreements are avoided, then must the assignment to the Remaining Preferred Return also be avoided?
 - 2. If avoided, whether the Remaining Preferred Return is an asset of the Estate?
- 3. If the Remaining Preferred Return is an asset of the Estate, is it subject to creditor's claims?
- 4. Whether, after payment to creditors, any amount left of the Remaining Preferred Return must be distributed in equal parts to Loren and Lee under the terms of Mike's October 6, 2020 Will?

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- 5. If the Remaining Preferred Return is not avoided, the Loren be entitled to declaratory relief that prevents him from having to pay the Remaining Preferred Return twice, first to the Mac Trust, and second to the Estate?
- 6. Relating to alleged amounts due for the preferred return, whether the Estate fails to state a claim, lacks standing, or failed to join an indispensable party for these more specific reasons, the Court should determine whether the Estate (or any other party) is barred from recovering any amounts of the preferred return for the following reasons:
- 7. Under RCW 25.15.033, Washington law governs: (1) The internal affairs of a limited liability company; and (2) the liability of a member as member and a manager as manager for the debts, obligations, or other liabilities of a limited liability company. Under RCW 25.15.018, the limited liability company agreement governs the "relations among the member as members and between the members and the limited liability company," as well as the "rights and duties under this chapters of a person in the capacity of manager." RCW 25.15.038 restricts the fiduciary duties members and managers over each other to specifically defined and limited duties of loyalty and care, and provided that the LLC Agreement may further restrict the duties owed. The Court should determine whether, under the LLC Agreement and the LLC Act, whether:
 - a. The Company owes the preferred return not Loren;
 - b. The Estate's failure to join the Company as a party precludes its claim;
 - c. The Estate's failure to sue the Company for an accounting precludes its claim;
- d. The Estate's failure to bring a derivative action or meet the requirements for bringing a derivative action under RCW 25.15.385 precludes its claim;
- e. The Estate's failure to sue for breach of contract or under RCW 25.15.226 asserting a right to a distribution precludes its claim;
- f. The Estate's failure to sue for breach of the LLC agreement or under RCW 25.15.226 asserting a right to a distributions precludes its claim;

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- g. The Estate's alleged tort damages are really disguised contract damages and, this, barred by the economic loss rule;
- h. The Estate's claims for breach of fiduciary duty are barred by the limited imposed by RCW 25.15.038 and the LLC Agreement, including the limits in fiduciary duties of members of managers and the right to rely on other professionals;
- i. The Estate's claims for distributions are limited by RCW 25.15.231 and the LLC Agreement;
- 8. Whether, to the extent there was a mistake in the preferred return calculation, and it is attributed by Loren, whether he is entitled to indemnity under RCW 25.15.041 and the LLC Agreement (and when there are no claims for piercing the Company's veil asserted under RCW 25.15.061.)
- 9. Whether the WSSA prevents enforcement of any of the underlying agreements (as an affirmative defense under RCW 21.20.430(5) as to any or all parties).

C. Undue Influence

- 1. Whether the Estate can prove by clear, cogent, and convincing evidence that the August 28, 2020 Agreement was the produce of undue influence by Loren over Michael?
- 2. Whether the Estate can prove by clear, cogent, and convincing evidence that the Amended Agreement was the product of undue influence by Loren over Michael?
 - 3. Whether the Estate can create a rebuttable presumption of undue influence?
- 4. If the Estate creates a rebuttal presumption of undue influence, whether Loren has rebutted the presumption, and that based on the totality of the circumstances, the Estate cannot meet its clear, cogent, and convincing burden of proof?
- 5. If the Estate proves this claim, whether the remedy is rescission, and the Court must determine how this remedy affects the other claims and defenses in this case.
- 6. If the Estate proves this claim, whether Loren should be reimbursed for payments he made that benefited the Estate?

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D. The Estate's Claim for Breach of Fiduciary Duty

- 1. Does an LLC manager's duty of loyalty require more than a duty to avoid secret profits, self-dealing, and conflicts of interest?
- 2. Can the Estate prove that Loren breached his duty of loyalty to Mike as Company manager?
- 3. Does an LLC manager's duty of care require more than refraining from engaging in grossly negligent or reckless conduct, intentional misconduct, or a knowing violation of law in the conduct and winding up of the LLC's activities?
- 4. Can the Estate prove that Loren breached his duty of care to Mike as Company manager?
- 5. Can the Estate prove that Loren was Mike's fiduciary in any other capacity than as the Company manager?
- 6. If the Estate can prove any breach of fiduciary duty, can it prove that the Estate was damaged, and that anything Loren did or didn't do was the proximate cause of such damages?
- 7. Does the Estate have standing to assert a claim for breach of fiduciary duty when Mike's membership interest was the subject to a charging order under the LLC Act and he lacked standing to assert any claims under RCW 25.15.251.

E. Declaratory Relief Regarding Mexico MOU

- 1. Whether the Mexico MOU is an enforceable contract;
- 2. Whether the Mexico MOU is void for any reason, including illegality or because it violates public policy;
 - 3. Whether the Mexico MOU fails for lack of consideration;
 - 4. Whether the Mexico MOU fails based on mutual or unilateral mistake;
- 5. Whether the Mexico MOU fails based on any theory or claim listed in this pretrial order.

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F. **Declaratory Relief Regarding Equitable Subrogation and Indemnity**

1. Whether if the 2020 Agreements are voided for undue influence, Loren is entitled to equitable subrogation, restitution, and indemnity to avoid unjust enrichment for payments Loren or his companies made to third-party creditors after the purchase of Mike's business interests that were debts personal to Mike.

G. Susan's and Amara's Claim for Negligence Against Loren

- 1. Whether Susan and Amara can prove that Loren owed them any duty.
- 2. If so, whether Susan and Amara can prove that Loren breached any duty.
- 3. If so, whether Susan and Amara can prove they were injured.
- 4. If so, whether Susan and Amara can prove any causal link between a breach and injury.
- 5. If so, whether Susan and Amara's claim fails based on any theory or defense listed in this pretrial order.

H. Susan's and Amara's Claim for Breach of Fiduciary Duty Against Loren

- 1. Susan and Amara have not established that Loren had any duty to them.
- 2. If so, whether Susan and Amara can prove that Loren breached any duty.
- 3. If so, whether Susan and Amara can prove they were injured.
- 4. If so, whether Susan and Amara can prove any causal link between a breach and injury.
- 5. If so, whether Susan and Amara's claim fails based on any theory or defense listed in this pretrial order

I. Failure to Mitigate and Attorneys' Fees

- 1. Whether the Estate should be prohibited from recovering attorneys' fees under RCW 11.96A.150 because the Estate did not plead any such entitlement in its pleadings.
- 2. Whether any claim in the litigation provides for an award of attorneys' fees to any party?

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- 3. Whether the Estate should be prohibited from recovering attorneys' fees on any other basis because the Estate failed to mitigate its damages.
- 4. Whether Loren should be entitled to recover attorneys' fees under equitable indemnity grounds.

IV.3 United States' Issues of Law (agreed by all parties)

- 1. Whether the United States is entitled to a judgment against Carol Vaughn, in her capacity as Personal Representative of the Estate of Michael Cohen, for unpaid federal income taxes for tax year 2020, including unassessed statutory interest and other statutory additions as provided by law.
- 2. In the event that the Court determines that the 2020 Transaction should be undone, whether Michael Cohen's 2020 income tax liability remains in the amount originally assessed

V. EXPERT WITNESSES

Pursuant to Fed. R. Civ. P. 43(j), each party may call no more than one expert witness on any subject. The names and addresses of the expert witnesses to be used by each party at trial and the issue upon which each will testify are:

A. On behalf of Plaintiff Estate.

1. Wendy Goffe, JD

701 5th Avenue Suite 5600 Seattle, WA 98104 (206) 447-7000

Wendy Goffe will testify regarding fiduciary duties, the standard of care that applies to fiduciaries, and whether Loren Cohen breached any fiduciary duties. Her opinions, qualifications, and bases for her opinions are set forth in the exchanged expert report and supplemental report. It is anticipated that Ms. Goffe will not be called as a witness due to the dismissal of the breach of fiduciary duty claims against the PR; however, the Estate reserves the right to call her as a rebuttal witness if The Cohen Parties offer evidence relating to the PR's performance of her fiduciary duties. At this time, there appear to be numerous proposed exhibits from The Cohen Parties that may make Ms. Goffe's testimony relevant.

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2. Jennifer Piel, MD, JD

4111 E. Madison Street, Suite 357 Seattle, WA 98112 (206) 295-8114

Dr. Jennifer Piel will testify regarding the Decedent's medical conditions, vulnerability to undue influence, and conditions that made the Decedent a vulnerable adult under chapter 74.34 RCW and vulnerable to undue influence. Her opinions, qualifications, and bases for her opinions are set forth in the exchanged expert report and supplemental report.

3. Arik Van Zandt, ASA, CDBV

Alvarez & Marsal Valuation Services, LLC 1111 Third Ave., Suite 2450 Seattle, WA 98101

Arik Van Zandt will testify about the value of the assets that the Decedent transferred to Loren Cohen. His opinions, qualifications, and bases for his opinions are set forth in the exchanged expert report and supplemental report.

B. On behalf of Plaintiff Amara Cohen and MAC Spousal Trust.

Same as Plaintiff Estate.

C. On behalf of United States.

Same as Plaintiff Estate.

D. On behalf of Defendant/Crossclaim Plaintiff Loren Cohen.

1. Tom Bucknell Bucknell Sato LLP 2003 Western Ave Ste 400 Seattle, WA 98121-2142

Mr. Bucknell will testify regarding the topics set forth in his expert reports, including the value of what Loren received from Mike, the value of what Loren provided in exchange, and whether Loren provided reasonably equivalent value. His opinions, qualifications, and bases for his opinions are set forth in expert report and rebuttal report.

Kimberly Linebarger
 Moss Adams, Portland Office
 805 SW Broadway, Portland, OR 97205

Ms. Linebarger is designated as a rebuttal witness and will testify to rebut Van Zandt's proposed testimony per the contents of her rebuttal reports.

3. Dr. Elaine Peskind 1713 35th Ave.

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Seattle, WA 98122

Dr. Peskind will testify regarding Michael Cohen's mental, functional, and physical condition between August 2020 and December 2020 and his lack of vulnerability to undue influence. Her opinions, qualifications, and bases for her opinions are set forth in her expert report.

4. Brinette Bobb Oak Street Law Group, PLLC 1100 Bellevue Way NE, #8A-494 Bellevue, WA 98004

Ms. Bobb will testify regarding the topics set forth in her expert report, including irrevocable grantor trusts, and the impact of any judgment on the question of estate tax Her opinions, qualifications, and bases for her opinions are set forth in her expert report.

5. Professor Susan Gary University of Hong Kong

Loren withdrew his motion for Professor Gary to testify remotely based on the Court's summary judgment order dismissing breach of fiduciary duty claims against Carol Vaughn. However, the Estate has indicated it intends to call Wendy Goffe to opine on standards of care for fiduciaries. Loren maintains that this testimony is no longer relevant. However, if the Court allows Ms. Goffe's testimony regarding fiduciary issues, then Loren reserves the right to call Professor Gary as an expert, and would agree to the terms the Estate requested in response to Loren's withdrawn motion.

E. On behalf of Defendant/Crossclaim Plaintiff PC Collections.

PC Collections reserves the right to call any of the designated Cohen experts but may not need to recall them to preserve trial time.

VI. OTHER WITNESSES

The names and addresses of witnesses other than experts, to be used by each party during trial, and the general nature of the testimony of each are as follows. Rebuttal witnesses, the necessity of whose testimony cannot reasonably be anticipated before trial, need not be named.

A. On behalf of plaintiffs (Estate, MAC Spousal Trust/Amara Cohen, United States:

| Witness | General Nature of Expected Testimony | "Will testify" or |
|---------------------------------------|---|-------------------------|
| | | "Possible witness only" |
| 1. AMARA | Decedent's wife will testify about the | Will testify. |
| COHEN | Decedent's family composition; | - |
| c/o Eric R. Laliberte | hospitalizations; cancer; care needs; state | |
| Keller Rohrback, LLP | of mind; Loren Cohen's acts, omissions, | |
| 1201 3rd Ave Ste 3400 | and representations; relationship between | |
| Seattle, WA 98101-3052 (206) 623-1900 | Loren Cohen and the Decedent; claims, | |
| (200) 023-1900 | counterclaims, and defenses stated in | |

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| Witness | General Nature of Expected Testimony | "Will testify" or "Possible witness only" | |
|---|--|---|--|
| | pleadings; payments and indemnification under the 2020 Agreement; benefits received from the MAC spousal trust and Decedent's Will; pressure and influence exerted by Loren Cohen; observation of Decedent in late November 2020; Decedent's property in Mexico; authentication of photographs and | • | |
| 2. HOLLAND COHEN c/o Jack B. Krona 5020 Main St Ste H Tacoma, WA 98407 (253) 341-9441 | documents. Defendant wife of Loren Cohen may testify about payments under the 2014 and 2020 Agreements; property in Mexico; management fees paid to Loren Cohen from the Company and affiliated entities; authentication of photographs and documents. | Possible witness. | |
| 3. LEE COHEN 5005 Main Street, Unit 730, Tacoma, WA 98407 (253) 579-5421 | Decedent's son will testify about Decedent's hospitalizations; Loren Cohen's acts, omissions and representations; relationship between Loren Cohen and the Decedent; the "Bonus Agreement;" payments received after Michael's death; Decedent's property in Mexico; authentication of photographs and documents. | Will testify. | |
| 4. LOREN COHEN (individual, LMC Family Trust, marital community), c/o Adrienne McEntee 936 N 34th St Ste 300 Seattle, WA 98103 (206) 816-6603 (member/manager PC Collections,) c/o Jack Krona, 5020 Main St Ste H, Tacoma, WA 98407 (253) 341-9441 | Defendant will testify about the companies listed in the 2014 Agreement and 2020 Agreement; the 2014 Agreement; the 2020 Agreement; claims, counterclaims, and defenses stated in the pleadings; property in Mexico; management fees from the Company and affiliated entities; authentication of documents. | Will testify. | |
| 5. SUSAN COHEN c/o Eric R. Laliberte Keller Rohrback, LLP 1201 3rd Ave Ste 3400 Seattle, WA 98101-3052 | Decedent's sister/Trustee of Spousal Trust will testify about the Decedent's family composition; hospitalizations; cancer; care needs; state of mind; Loren Cohen's acts, omissions, and | Will testify. | |

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| Witness | General Nature of Expected Testimony | "Will testify" or "Possible witness only" |
|---|---|--|
| (206) 623-1900 | representations; appointment of successor Trustee; relationship between Loren Cohen and the Decedent; claims, counterclaims, and defenses stated in pleadings; payments and indemnification under the 2020 Agreement; pressure and influence exerted by Loren Cohen; the 2020 Agreement; observation of Decedent in late November 2020; Decedent's property in Mexico; authentication of photographs and documents. | T USSIDIC WITHESS UNITY |
| 6. IRS c/o Timothy J. Huether, US Department of Justice | IRS representative Bradley C. Marler will testify about income tax owed from | Will testify. |
| PO Box 683, Ben Franklin Station, Washington, DC 20044- 0683, (202) 307-2124 | Return for Michael Cohen; tax lien asserted by the IRS; authentication of documents. | |
| 7. KYLE JOHNSON 601 Union Street, Suite 2600, Seattle, WA 98101 | Decedent's attorney will testify about the negotiation, drafting, terms, and execution of the 2020 Agreement; relationship between Loren and Michael; | Will testify. |
| (206) 604-3810 8. JULIE McBRIDE | authentication of documents. Decedent's former spouse will testify about her creditor's claim; authentication | Possible witness. |
| c/o Alan J. Wenokur 600 Stewart Street, Ste. 1300, Seattle, WA 98101 | of documents. | |
| (206) 682-6225 9. WILLIAM NEWCOMER | Former plaintiff will testify about litigation pending at the time of the 2020 | Will testify. |
| c/o Russell A. Knight 1501 Dock St Tacoma, WA 98402 | Agreement; his creditor's claim; assignment of prior judgment to PC | |
| (253) 627-1091 | Collections; Bonney Ridge properties and LLCs; authentication of documents. | |
| 10. PEOPLE'S BANK IVAN DOCHOVSKI c/o Jess Webster | A representative of People's Bank will testify about the Bank's creditor's claim; | Possible witness. |
| 2801 Alaskan Way, Ste. 300, Seattle, WA 98121- 1128 | foreclosure of security interest; actions of Loren Cohen regarding the claim; authentication of documents. | |
| | | |

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| Witness | General Nature of Expected Testimony | "Will testify" or "Possible witness only" |
|--|---|--|
| 11. JAMES SCHERBINSKE 414 Keach Loop | In-house accountant and CFO for Cohen business entities will testify about relevant accounting practices; overview | Will testify. |
| Steilacoom, WA 98388 (208) 244-4010 | of company organization; statements of net worth; relevant tax filings; financial | |
| | statements of the Cohen business entities; preferred returns under the 2014 | |
| | Agreement; roles of Michael Cohen and Loren Cohen; prior litigation involving Cohen entities; authentication of | |
| 12. MICHAEL B. | documents. The GAL for Michael's minor children | Will testify. |
| SMITH Guardian ad Litem 1901 65th Ave W., Suite | will testify regarding the Petition for Family Support Award he filed under | |
| 200, Fircrest, WA 98466 (253) 565-3400 | chapter 11.54 RCW; authentication of documents. | |
| 13. CURTIS STEBBINS | Accountant for the Cohens will testify about relevant accounting practices; | Will testify. |
| c/o Martin Burns Burns Law, PLLC | relevant tax filings; calculation of income | |
| 3711 Center Street Tacoma, WA 98409 | tax owed on the 2020 Agreement; roles of Michael Cohen and Loren Cohen; tax status of the LMC Family Trust; | |
| (253) 507-5886 | authentication of documents. | D 31 |
| 14. KEN THOMPSON c/o Ragan Powers | This creditor will testify about his creditor's claim; litigation pending at the | Possible witness. |
| Davis Wright Tremaine 920 Fifth Ave. Ste. 3300, Seattle, WA 98104-1610 | time of the 2020 Agreement; authentication of documents. | |
| (206) 622-3150 15. CAROL VAUGHN | The successor PR will testify about the | Possible witness. |
| c/o Bruce R. Moen 1200 5 th Ave. Ste. 625 | creditor's claims filed against the Estate; | 1 ossiole withess. |
| Seattle, WA, 206-441- 1156 | the Estate's insolvency; and authentication of documents (assumes | |
| c/o Marc Rosenberg | breach of fiduciary duty claims are dismissed). | |
| 701 Pike St. #1800 Seattle, WA 98101 | | |
| 206-262-8308 | | 7 111 |
| 16. JAMES WEYMOUTH | This witness was identified as someone who Loren Cohen paid on behalf of the | Possible witness. |
| 1445 Evergreen Point Rd. | Estate. He will testify about whether he filed a creditor's claim; his opposition to | |
| Medina, WA 98039 | receivership of the Company in early | |

| 1 | Witness | General Nature of Expected Testimony |
|--------|----------------|--|
| 2 | | 2021; his knowledge of the Decedent's funding of the Tempe Project; and authentication of documents. |
| 3 4 | B. On behalf o | of United States |

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The United States adopts and incorporates the Witness List set forth in Personal Representative Carol Vaughn's Pretrial Statement. In addition, the United States lists the following witnesses and clarifies the general nature of the testimony expected of each.

| Witness | General Nature of Expected Testimony | "Will testify" or "Possible witness only" |
|--|--|--|
| INTERNAL REVENUE SERVICE c/o Timothy J. Huether US Department of Justice PO Box 683, Ben Franklin Station, Washington, DC 20044-0683, (202) 307-2124 | It is anticipated that IRS representative Bradley C. Marler will testify regarding the tax issues involved in this case. | Will testify. |
| LOREN COHEN c/o Adrienne D. McEntee Terrell Marshall Law Group PLLC, 936 N 34th St Ste 300 Seattle, WA 98103-8869 (206) 816-6603 c/o Jack B. Krona Law Offices of Jack B. Krona, Jr., 5020 Main St Ste H Tacoma, WA 98407 (253) 341-9441 | Loren is the son of decedent Michael Cohen and the former personal representative of the Estate of Michael Cohen. It is anticipated that he will testify about the reporting of Michael Cohen's 2020 income tax while he was Personal Representative of the Estate of Michael Cohen. | Possible witness. |
| CURTIS STEBBINS c/o Martin Burns Burns Law, PLLC 3711 Center Street Tacoma, WA 98409 (253) 507-5886 | Curtis Stebbins is an accountant that worked for the Cohen business entities. He is expected to testify regarding relevant tax filings | Possible witness |
| CAROL VAUGHN As Crossclaim Defendant Estate c/o Bruce R. Moen Puget Sound Plaza 1325 4th Ave Ste 1025 Seattle, WA 98101 (206) 441-1156 | Vaughn was appointed as Successor Personal Representative of the Estate of Michael Cohen. It is anticipated that she will testify regarding the 2020 federal income tax assessed against the estate. | Possible witness |

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"Will testify" or "Possible witness only"

C. On behalf of defendants (Loren Cohen and PC Collections):

| Witness | General Nature of Expected Testimony | "Will testify" or "Possible witness only" | |
|-----------------|---|---|--|
| Carol Vaughn | Party to this action | Possible witness | |
| Loren Cohen | Party to this action | Will testify | |
| Susan Cohen | Party to this action | Will testify | |
| Amara Cohen | Party to this action | Will testify | |
| Holland Cohen | Party to this action | Possible witness | |
| Tim Batanian | Has knowledge of some of the financial transactions at issue as well as Mike Cohen's demeanor and condition in 2020 | Will testify | |
| Ronald Bone | Witness to Mike Cohen's will and his demeanor and condition in 2020 | Will testify | |
| Lee Cohen | Son of Mike Cohen and brother to Loren Cohen. May testify about Mike's demeanor and condition in 2020 | Will testify | |
| Curt Stebbins | Mike Cohen's accountant. May testify about the LMC Family Trust, financial condition of the Company, and whether Mike's estate would have been obligated for estate tax | Will testify | |
| Jim Scherbinske | May have information related to the valuation of the underlying transaction | Possible witness | |
| Kyle Johnson | Mike Cohen's attorney. May testify about the drafting, negotiating, and signing of the 2020 Agreements and related issues. | Possible witness | |
| Kevin Hanchett | May have information related to status of Pt. Ruston project | Possible witness | |

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VII. EXHIBITS

The following tables identify each exhibit by number which will become the number for the exhibit at trial and appear on the exhibit tag. No party is required to list any exhibit which is listed by another party, or any exhibit to be used for impeachment only.

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| 6 | | PLAINTIFF'S EXHIBITS | | | | |
|---------------------------------|-------|--|--------------|---------------|-----------|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 7 | 1. | 2005-02-16 Apex Apt LLC Agreement | Stipulated | Stipulated | | |
| 8 | 2. | 2008-03-10 Deed - Apex Apartments to Apex Apartments II | Stipulated | Stipulated | | |
| 9 | 3. | 2008-03-10 LLC Agreement Apex | Stipulated | Stipulated | | |
| 11 | 4. | Apartments II 2010-10-15 2nd Amended-Restated LLC | Stipulated | Stipulated | | |
| 12 | 5. | Agr of Apex Apts II, LLC 2014-01-01 Michael | Stipulated | Disputed | FRE 802 | |
| 13 | | Cohen 2014 1040-Tax Return | | Gri. 1 / 1 | | |
| 14 15 | 6. | 2014-06-01 M Cohen Agr-Transfer of LLC Ownership | Stipulated | Stipulated | | |
| 16 | 7. | 2014-2020 Blueberry Farms I & II LLC's Tax Returns | Stipulated | Stipulated | | |
| 17 | 8. | 2015-2019 Cohen Activities record - Chase | Stipulated | Stipulated | | |
| 18 19 | 9. | 2015-2019 Cohen Cash Activity Statement – Chase | Stipulated | Stipulated | | |
| 20 | 10. | 2015-2020 MC Real Estate Consultants, LLC Tax Returns | Stipulated | Stipulated | | |
| 21 22 | 11. | 2016-01-06 Cohen Opp to Motion for Alternate Security Newcomer | Stipulated | Stipulated | | |
| 23 | 12. | 2016-01-06 Dec of W. Cary Deaton MBA CPA and Expert Report | Stipulated | Stipulated | | |
| 24 | 13. | 2016-01-13 Dec of William Newcomer | Stipulated | Stipulated | | |
| 2526 | 14. | 2016-03-04 Pltf's 1st Amended Complaint - Newcomer v. Cohen | Stipulated | Stipulated | | |

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| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|-----|-------|---|--------------|---------------|-----------|----------|
| _ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 15. | 2016-03-24 Cohen | Stipulated | Stipulated | | |
| 3 | | Durable Power of | | | | |
| 3 | | Attorney | | | | |
| 4 | 16. | 2016-2020 M&J Real | Stipulated | Disputed | missing | |
| 7 | | Estate Investment Tax | | | Mike's | |
| 5 | | Returns | | | 2018 M&J | |
| | 17 | 2017-06-15 Michael | Stipulated | Stipulated | K1 | |
| 6 | 17. | Cohen Spousal Equiv | Supulated | Supulated | | |
| | | Access Trust | | | | |
| 7 | 18. | 2018-03-22 L Cohen to K | Stipulated | Disputed | FRE 402, | |
| | 10. | Johnson email re | o up water | Disputed | 403, 802 | |
| 8 | | Newcomer strategy | | | , | |
| 9 | 19. | 2018-08-02 Dec of | Stipulated | Stipulated | | |
| 9 | | Michael Cohen ISO Mot | | | | |
| 10 | | to Reissue Newcomer | | | | |
| 10 | 20. | 2018-10-05 Charging | Stipulated | Stipulated | | |
| 11 | | Order Newcomer | G.: 1 . 1 | Gri 1 / 1 | | |
| | 21. | 2019-01-14 CR 2A | Stipulated | Stipulated | | |
| 12 | | Agreement PC Collections Newcomer | | | | |
| | 22. | 2019-03-08 Mot to | Stipulated | Stipulated | | |
| 13 | 22. | Enforce CR 2A | Supulated | Supulated | | |
| 14 | | Agreement Newcomer | | | | |
| 14 | 23. | 2019-04-02 Dec of | Stipulated | Stipulated | | |
| 15 | 25. | William Newcomer re WF | 1 | 1 | | |
| 13 | | Payments | | | | |
| 16 | 24. | 2019-04-12 Assignment of | Stipulated | Stipulated | | |
| | | Judgments PC Collections | | | | |
| 17 | | Newcomer | G.: 1 . 1 | D' 1 | EDE 400 | |
| | 25. | 2019-08-15 CBRE | Stipulated | Disputed | FRE 402, | |
| 18 | | Appraisal Report Point | | | 403, 802 | |
| | 26 | Ruston Century Theatre 2019-10-07 M Cohen to C | Stipulated | Disputed | FRE 802 | |
| 19 | 26. | Stebbins email re | Supulateu | Disputed | 1 KL 802 | |
| 20 | | installment sale of M&J | | | | |
| 20 | | RE Investment | | | | |
| 21 | 27. | 2019-10-31 BR Real | Stipulated | Disputed | FRE 402, | |
| 21 | | Estate Investment LLC | | • | 403, 802 | |
| 22 | | Annual Report | | | , | |
| | 28. | 2019-10-31 CBRE | Stipulated | Disputed | FRE 402, | |
| 23 | | Appraisal Report Point | | | 403, 802 | |
| | | Ruston Apartments | Gri 1 : 1 | D: 4.3 | EDE 402 | |
| 24 | 29. | 2019-10-31 CBRE | Stipulated | Disputed | FRE 402, | |
| ا ء | | Appraisal Report Point | | | 403, 802 | |
| 25 | 20 | Ruston Condo Appraisal 2019-10-31 Dec of | Stipulated | Stipulated | | |
| 26 | 30. | William Newcomer | Supuiated | Supulated | | |
| 20 | | William Newcomer | | | | |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|----------|-------|---|--------------|---------------|-----------|----------|
| ء ا | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 31. | 2019-11-04 Dec of | Stipulated | Disputed | FRE 402, | |
| 3 | | William Newcomer | Gr. 1 . 1 | D: 4 1 | 403, 802 | |
| | 32. | 2019-11-21 CBRE | Stipulated | Disputed | FRE 402, | |
| 4 | | Appraisal Report of as-is condition - Public Mkt, | | | 403, 802 | |
| | | Garage and Land | | | | |
| 5 | 33. | 2019-11-21 CBRE | Stipulated | Disputed | FRE 402, | |
| | 33. | Appraisal Report Point | Supulated | Disputed | 403, 802 | |
| 6 | | Ruston Public Market | | | , | |
| <u>,</u> | 34. | 2019-12-31 Michael | Disputed | Disputed | FRE 402, | |
| 7 | | Cohen Statement of | _ | _ | 403, 802 | |
| 8 | | Personal Net Worth | | | | |
| ا " | 35. | 2020 Michael Cohen Tax | Stipulated | Disputed | FRE 802 | |
| 9 | | Return | Gui 1 4 1 | D: 4 1 | EDE 106 | |
| | 36. | 2020 Point Ruston Form 1065 | Stipulated | Disputed | FRE 106 | |
|) | 27 | 2020-02-01 Care Plan | Stipulated | Stipulated | | |
| | 37. | Note - Karen Allard RN | Supulated | Supulated | | |
| l | 38. | 2020-02-06 Michael | Stipulated | Stipulated | | |
| | 36. | Cohen Will and Codicil | Supulated | Supulated | | |
| | | Unsigned | | | | |
| | 39. | 2020-02-18 through 12-20 | Stipulated | Stipulated | | |
| Ш | | K Johnson Invoices | - | - | | |
| Ш | 40. | 2020-02-20 M Cohen-K | Stipulated | Stipulated | | |
| | | Johnson email re Agr for | | | | |
| | | transfer of ownership | | | | |
| Ш | 41. | 2020-03-03 L Cohen-K | Stipulated | Stipulated | | |
| Ш | | Johnson email re LMC Family Trust | | | | |
| II | 42. | 2020-03-22 L Cohen-A | Stipulated | Disputed | FRE 402, | |
| II | 42. | Lasacco JP Morgan email | Supulated | Disputed | 403, 802 | |
| | | re trust and estate fees | | | , | |
| | 43. | 2020-03-22 L Cohen-K | Stipulated | Stipulated | | |
| | | Johnson email re K | • | | | |
| | | Johnson editing agreement | | | | |
| | 44. | 2020-03-25 M Cohen | Disputed | Disputed | FRE 802 | |
| | | Assets & Liabilities List | Gr. 1 . 1 | D: 1 | EDE 402 | |
| | 45. | 2020-03-31 L Cohen-K | Stipulated | Disputed | FRE 402, | |
| | | Johnson M Cohen email | | | 403, 802 | |
| | 16 | re JP Morgan 2020-06-26 Dec of | Stipulated | Stipulated | | |
| | 46. | William Newcomer | Supulateu | Supulated | | |
| | 47. | 2020-07-12 M Cohen to K | Stipulated | Disputed | FRE 402, | |
| | 47. | Johnson email re updating | ~upuiuou | 2 ispated | 403, 802 | |
| $\ $ | | estate plan | | | , | |
| | 48. | 2020-07-15 M. Cohen to | Stipulated | Disputed | FRE 802 | |
| | | L Cohen and K Johnson re | _ | _ | | |
| | | Prenup discussion | | | | |
| | | | | | | |

| | | PLAINTIFF'S | | | | |
|------------|-------------|--|------------------|---------------|-----------|----------|
| | | EXHIBITS | | | | |
| · 11— | x.# | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 - | 49. | 2020-08 JOHNSON | Stipulated | Stipulated | | |
| | | 14-19 Agr for Transfer of | | | | |
| | | 49.9 Interest LLC redlined | Gri 1 / 1 | 0.1.1 | | |
| 5 | 50. | 2020-08-17 L Cohen-K | Stipulated | Stipulated | | |
| | | Johnson email re P&S of MAC's 49.9 | | | | |
| ╟ | - 1 | 2020-08-17 M Cohen to K | Stipulated | Disputed | FRE 802 | |
| 3 | 51. | Johnson email re Cohen | Supulated | Disputed | FRE 802 | |
| | | MOU | | | | |
| - | 52. | 2020-08-18 COHEN 165- | Stipulated | Stipulated | | |
| _ | <i>J</i> 2. | 167 Agr For Transfer of | Supulated | Supulated | | |
| 11 | | 49.9 Interest LLCs | | | | |
| | | Michael Cohen Draft | | | | |
| 5 | 53. | 2020-08-18 COHEN 165- | Stipulated | Stipulated | | |
| | | 167 Agr for Transfer of | _ | _ | | |
| | | 49.9 Interest LLCs | | | | |
| 5 | 54. | 2020-08-18 Progress | Stipulated | Disputed | FRE 106, | |
| | | Notes - Tram Chu MD | | | 402, 403, | |
| | | 2020 00 10 17 1 1 | Gui 1 4 1 | Cui 1 / 1 | 802 | |
| - | 55. | 2020-08-19 K Johnson-M Cohen email re Cohen | Stipulated | Stipulated | | |
| | | Transfer Agr | | | | |
| | 56. | 2020-08-19 Progress Note | Stipulated | Stipulated | | |
| - | 50. | - Tram Chu MD | Supulated | Supulated | | |
| - 4 | 57. | 2020-08-20 Agr for | Stipulated | Disputed | FRE 402, | |
| - | 77. | Transfer of 49.9 Interest in | Supulated | Disputed | 403, 802 | |
| | | LLCs | | | , | |
| 5 | 58. | 2020-08-20 COHEN 175- | Stipulated | Stipulated | | |
| | | 177 Agr for Transfer of | • | • | | |
| L | | 49.9 Interest LLC | | | | |
| 4 | 59. | 2020-08-20 M Cohen to | Stipulated | Disputed | FRE 802 | |
| | | Allianz cc K Johnson re | | | | |
| | | MX accounts | Ori 1 : 1 | D: 4.1 | EDE 402 | |
| 6 | 60. | 2020-08-20 M Cohen to K | Stipulated | Disputed | FRE 402, | |
| | | Johnson and Lee Cohen | | | 403, 802 | |
| \vdash | (1 | email re draft 2020-08-24 COHEN 178 | Ctimulated | Stipulated | | |
| 6 | 51. | L Cohen-Johnson email re | Stipulated | Supulated | | |
| | | Cohen Trans Agr | | | | |
| - | 62. | 2020-08-25 Progress Note | Stipulated | Disputed | FRE 106, | |
| Ι ' | 02. | - Hannah Christensen | ~ iip iii iii ii | 2 ispatea | 402, 403, | |
| | | ARNP | | | 802 | |
| ϵ | 63. | 2020-08-27 Consult Note | Stipulated | Stipulated | | |
| Ì | . | Jessica Kuculyn MSW | | | | |
| 6 | 54. | 2020-08-28 Agr for | Stipulated | Stipulated | | |
| | | Transfer of Interest LLC - | _ | _ | | |
| L | | redlined version | | | | |
| | | | | | | |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|-----|-------|--|--------------|---------------|-----------|----------|
| _ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 65. | 2020-08-28 Agr for | Stipulated | Stipulated | | |
| 3 | | Transfer of Interest in | | | | |
| 3 | | LLC JOHNSON 24-29 | | | | |
| 4 | | signed | C4:1-41 | C4:1-41 | | |
| . | 66. | 2020-08-28 Agr for Transfer of Interest in | Stipulated | Stipulated | | |
| 5 | | LLC JOHNSON 24-34 | | | | |
| | | signed | | | | |
| 6 | 67. | 2020-08-28 Agr for | Stipulated | Stipulated | | |
| | 07. | Transfer of LLC Interests | Supulated | Supulated | | |
| 7 | | tracking version | | | | |
| | 68. | 2020-08-28 Agr to | Stipulated | Stipulated | | |
| 8 | 00. | Transfer Remaining | 1 | 1 | | |
| | | Interest LLC | | | | |
| 9 | 69. | 2020-08-28 Assign- | Stipulated | Stipulated | | |
| 10 | | Transfer of LLC - M&J | _ | _ | | |
| 10 | | RE Investment | | | | |
| 11 | | JOHNSON 30-31 | | | | |
| | 70. | 2020-08-28 COHEN 185 | Stipulated | Stipulated | | |
| 12 | | L Cohen-K Johnson and S Cohen email re notes from | | | | |
| | | call | | | | |
| 13 | 71. | 2020-08-28 COHEN 189- | Stipulated | Stipulated | | |
| | /1. | 197 L Cohen-K Johnson | Supulated | Supulated | | |
| 14 | | email re notes from call | | | | |
| 1.5 | 72. | 2020-08-28 COHEN 875- | Stipulated | Stipulated | | |
| 15 | | 882 Agr for Transfer of | • | • | | |
| 16 | | Interest in LLC | | | | |
| 10 | | Highlighted | | | | |
| 17 | 73. | 2020-08-28 COHEN | Stipulated | Stipulated | | |
| | | TRANSFER | | | | |
| 18 | | AGREEMENT FINAL | | | | |
| | 7.4 | SIGNED 2020-08-28 Final Signed | Stimulated | Stimulated | | |
| 19 | 74. | Agreement re CWS | Stipulated | Stipulated | | |
| • | | Ruston LP | | | | |
| 20 | 75. | 2020-08-28 Memo of | Stipulated | Stipulated | | |
| 21 | 13. | Understanding re Mexico | Supulated | Supulated | | |
| 21 | | Properties | | | | |
| 22 | 76. | 2020-08-28 Progress note | Stipulated | Stipulated | | |
| | | - Adrienne Bossio, MD | • | • | | |
| 23 | 77. | 2020-08-29 COHEN 200- | Stipulated | Stipulated | | |
| | | 202 L Cohen-K Johnson | | | | |
| 24 | | email re notes from call | Grid 1 : 1 | Grid 1 : 1 | | |
| | 78. | 2020-08-29 COHEN 211- | Stipulated | Stipulated | | |
| 25 | | 213 L Cohen-K Johnson email re Michael health | | | | |
| 26 | | decline rapidly | | | | |
| 26 | | decime rapidity | | | | |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|----------|----------|--------------------------------------|--------------|---------------|-----------|----------|
| _ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 79. | 2020-08-30 COHEN 217- | Stipulated | Stipulated | | |
| 2 | | 219 L Cohen-K Johnson | | | | |
| 3 | | email re notes from call | | | | |
| 4 | 80. | 2020-08-30 COHEN 220- | Stipulated | Stipulated | | |
| 4 | | 222 L Cohen-K Johnson | | | | |
| 5 | | email re notes from call | ~: 1 . 1 | ~ · · · · · · | | |
| 3 | 81. | 2020-08-30 COHEN 223- | Stipulated | Stipulated | | |
| 6 | | 226 K Johnson-L Cohen | | | | |
| 0 | <u> </u> | email re notes from call | Cui 1 / 1 | Cu: 1 . 1 | | |
| 7 | 82. | 2020-08-30 COHEN 227- | Stipulated | Stipulated | | |
| <i>'</i> | | 231 L Cohen-K Johnson | | | | |
| 8 | 0.2 | email re notes from call | Discorted | | | |
| | 83. | 2020-08-30 LMC REVISIONS TRANSFER | Disputed | | | |
| 9 | [[| AGREEMENT Email | | | | |
| | 0.4 | 2020-08-30 Progress Note | Stipulated | Disputed | FRE 106, | |
| 10 | 84. | - Kristine Tiuseco MD | Supulated | Disputed | 402, 403, | |
| | | - Kristine Tiuseco WiD | | | 802, 403, | |
| 11 | 85. | 2020-08-30 Progress Note | Stipulated | Stipulated | 002 | |
| | 65. | - Lori Ann Bush RN | Supulated | Supulated | | |
| 12 | 86. | 2020-08-31 Care Plan | Stipulated | Stipulated | | |
| 12 | 60. | Note - Jessica Kuculyn | Supulated | Supulated | | |
| 13 | | MSW | | | | |
| 14 | 87. | 2020-08-31 COHEN 243- | Stipulated | Stipulated | | |
| 14 | | 247 L Cohen-K Johnson | • | • | | |
| 15 | | email re notes from call | | | | |
| 13 | 88. | 2020-08-31 Long-Term | Stipulated | Stipulated | | |
| 16 | | Emp Comp-Bonus | _ | _ | | |
| 10 | | Agreement Lee Cohen | | | | |
| 17 | 89. | 2020-09-05 COHEN 287- | Stipulated | Stipulated | | |
| - | | 291 K Johnson-L Cohen | | | | |
| 18 | | email trail re notes from | | | | |
| | | call | | | | |
| 19 | 90. | 2020-09-05 Progress Note | Stipulated | Stipulated | | |
| | | - Bhabiswar Tiwari MD | Gri 1 · 1 | D: (1 | EDE 400 | |
| 20 | 91. | 2020-09-19 M Cohen to K | Stipulated | Disputed | FRE 402, | |
| | [[| Johnson email re Mexico | | | 403, 802 | |
| 21 | | side agreement | Ction1st-1 | Diamet- 1 | EDE 402 | |
| | 92. | 2020-09-21 M Cohen to K | Stipulated | Disputed | FRE 402, | |
| 22 | | Johnson re Mexico | | | 403, 802 | |
| 22 | 02 | Agreement 2020-09-26 Investigative | Stipulated | Stipulated | | |
| 23 | 93. | Report - Harassment | Supuiateu | Supulated | | |
| 24 | [[| Cohens | | | | |
| 24 | 94. | 2020-09-30 Cohen Email | Stipulated | Stipulated | | |
| 25 | 94. | re Final 4 Estate Docs | Supulated | Supulated | | |
| 43 | | 10 1 Indi Listate Does | <u> </u> | l | | |

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| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|-----|-------|--|--------------|---------------|----------------------|----------|
| _ ا | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 95. | 2020-09-30 M Cohen-L | Stipulated | Stipulated | | |
| 3 | | Cohen email re final 4 | | | | |
| 3 | 0.6 | estate docs BCC S Cohen | C4:1-41 | Diameter 1 | EDE 402 | |
| 4 | 96. | 2020-10-02 M Cohen to K Johnson email re edits to | Stipulated | Disputed | FRE 402, 403, 802 | |
| | | transfer agreement | | | 403, 802 | |
| 5 | 97. | 2020-10-03 1st Amended | Stipulated | Stipulated | | |
| | 77. | Agr Transfer Int LLC | Supulated | Supulated | | |
| 6 | | COHEN 904-908 | | | | |
| 7 | 98. | 2020-10-04 L Cohen-M | Stipulated | Stipulated | | |
| / | | Cohen email re transfer | | | | |
| 8 | | agreement | Grid 1 | Grid 1 | | |
| | 99. | 2020-10-04 S Cohen-L | Stipulated | Stipulated | | |
| 9 | | Cohen email re recording of successor Agr | | | | |
| | 100. | 2020-10-04b - Recording | Stipulated | Stipulated | | |
| 10 | 100. | (COHEN 000540) | Supulated | Supulated | | |
| 1, | 101. | 2020-10-05 K Johnson to | Stipulated | Stipulated | | |
| 11 | | L Cohen email asking for | 1 | • | | |
| 12 | | signed 8-28 Agr | | | | |
| 12 | 102. | 2020-10-05 M Cohen to K | Stipulated | Disputed | FRE 402, | |
| 13 | | Johnson email re adding | | | 403, 802 | |
| | 100 | to Agr 2020-10-06 K Johnson-L | Ctimulated | Stipulated | | |
| 14 | 103. | Cohen email re transfer | Stipulated | Supulated | | |
| 1.5 | | Agr amendment | | | | |
| 15 | 104. | 2020-10-06 L Cohen to K | Stipulated | Disputed | FRE 402, | |
| 16 | 101. | Johnson email re excise | 1 | 1 | 403, 802 | |
| 10 | | tax | | | | |
| 17 | 105. | 2020-10-06 L Cohen- | Stipulated | Stipulated | | |
| | | Johnson email re transfer | | | | |
| 18 | 100 | Agr amendment | Ctimulated | Ctinulated | | |
| 10 | 106. | 2020-10-06 Last Will and Testament-Michael Cohen | Stipulated | Stipulated | | |
| 19 | | SIGNED | | | | |
| 20 | 107. | 2020-10-06 M Cohen to K | Stipulated | Disputed | FRE 802 | |
| 20 | 107. | Johnson email re LMC | 1 | 1 | - | |
| 21 | | Family Trust book value | | | | |
| | | of business | | | | |
| 22 | 108. | 2020-10-07 Johnson-L | Stipulated | Stipulated | | |
| . | | Cohen email re Transfer | | | | |
| 23 | 100 | Agr Amendment 2020-10-07 L Cohen- | Stipulated | Stipulated | | |
| 24 | 109. | Johnson email re transfer | Supuidieu | Supulated | | |
| 24 | | Agr amendment | | | | |
| 25 | 110. | 2020-10-08 M Cohen to K | Stipulated | Disputed | FRE 802 | |
| | | Johnson email re CWS | • | | | |
| 26 | | Side agreement | | | | |
| | | | | | | |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|-----|-------|---|--------------|---------------|-----------|----------|
| _ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 111. | 2020-10-09 CWS Ruston | Disputed | Disputed | FRE 402, | |
| 3 | | Agreement Unsigned | | | 403, 802 | |
| 3 | | Longer Version | D: 1 | D' 1 | EDE 400 | |
| 4 | 112. | 2020-10-09 CWS | Disputed | Disputed | FRE 402, | |
| 7 | | RUSTON, LP Unsigned | Gr: 1 / 1 | G(: 1 / 1 | 403, 802 | |
| 5 | 113. | 2020-10-12 Successor | Stipulated | Stipulated | | |
| | 114 | Trustee Agreement 2020-10-14 Scherbinske- | C4:1-41 | Diameter 1 | FRE 802 | |
| 6 | 114. | Stebbins emails re Point | Stipulated | Disputed | FRE 802 | |
| | | Ruston 1099 | | | | |
| 7 | 115. | 2020-10-16 Chicago Title | Stipulated | Stipulated | | |
| | 113. | Est Seller's Statement | Supulated | Supulated | | |
| 8 | 116. | 2020-10-20 K Johnson to | Disputed | Disputed | FRE 402, | |
| | 110. | M Cohen email re Julie | Disputed | Disputed | 403, 802 | |
| 9 | | McBride | | | , | |
| 10 | 117. | 2020-10-21 JP Morgan | Stipulated | Stipulated | | |
| 10 | | Wire Confirmation - | • | • | | |
| 11 | | Cohen to Yo Pinto | | | | |
| 11 | 118. | 2020-10-26 Dec of | Stipulated | Stipulated | | |
| 12 | | Michael Cohen Thomsen | | | | |
| | | v. Point Ruston matter | G.: 1 . 1 | G.: 1 . 1 | | |
| 13 | 119. | 2020-10-26 Johnson-S | Stipulated | Stipulated | | |
| | | Cohen email re finishing | | | | |
| 14 | 120 | up estate docs 2020-10-27 L Cohen to S | Stipulated | Stipulated | | |
| | 120. | Cohen and K Johnson re | Supulated | Supulated | | |
| 15 | | Transfer Agreement | | | | |
| 16 | 121. | 2020-10-30 L Cohen to M | Stipulated | Stipulated | | |
| 16 | 121. | Cohen and K Johnson re | Supulation | Supulation | | |
| 17 | | finishing up estate docs | | | | |
| 1 / | 122. | 2020-11-02 M Cohen-L | Stipulated | Stipulated | | |
| 18 | | Cohen email w-redlined | • | • | | |
| | | 1st Amnd Transfer Agr | | | | |
| 19 | 123. | 2020-11-04 L Cohen-M | Stipulated | Stipulated | | |
| | | Cohen email re edits to | | | | |
| 20 | | Agr | G.: 1 . 1 | Gri 1 . 1 | | |
| | 124. | 2020-11-05 M Cohen-L | Stipulated | Stipulated | | |
| 21 | | Cohen email re 1st | | | | |
| 22 | 105 | Amended Transfer Agr 2020-11-23 Clinic Visit | Stipulated | Stipulated | | |
| 22 | 125. | note - Hannah Christensen | Supulated | Supulated | | |
| 23 | | ARNP | | | | |
| 23 | 126. | 2020-11-23 K Johnson to | Disputed | Disputed | FRE 402, | |
| 24 | 120. | M Cohen re Julie McBride | p | p | 403, 802 | |
| - ' | | Divorce case | | | , | |
| 25 | 127. | 2020-11-29 L Cohen Text | Stipulated | Stipulated | | |
| | | Message | | | | |
| 26 | | | | | | |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|----------|-------|---|--------------|---------------|-----------------------|----------|
| ا م | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 128. | 2020-11-30 Joseph Ferry | Stipulated | Disputed | FRE 106, | |
| 3 | | ARNP Consult Notes | | | 402, 403, 802 | |
| 4 | 129. | 2020-11-30 Yuan Liu Treatment Notes M Cohen | Stipulated | Disputed | FRE 402, 403, 802 | |
| 5 | 130. | 2020-12-03 S. Cohen-L Cohen email re agreements | Stipulated | Stipulated | | |
| 6 | 131. | 2020-12-05 Discharge Summary Notes Dustin | Stipulated | Disputed | FRE 106, 402, 403, | |
| 7 | | Varesko MD | C4:1-4-1 | C4'1-4-1 | 802, 403, | |
| 8 | 132. | 2020-12-06 Date of Death - Cohen Preliminary Inventory-Appraisal | Stipulated | Stipulated | | |
| | | undated | Gri 1 / 1 | Gri 1 / 1 | | |
| 10 | 133. | 2020-12-06 Death Certificate Michael Cohen | Stipulated | Stipulated | | |
| 11 | 134. | 2020-12-06 Preliminary Appraisal of Michael Cohen Estate | Stipulated | Stipulated | | |
| 12 13 | 135. | 2020-12-08 L Cohen to K Johnson re Final Agreement Attached | Stipulated | Disputed | FRE 106 | |
| 14 | 136. | 2021-01-01 JP Morgan Checking Acct Statement | Stipulated | Stipulated | | |
| 15 | 137. | 2021-01-12 Dec of Jim Scherbinske - Point Ruston Litigation | Stipulated | Disputed | FRE 402, 403, 802 | |
| 16 17 | 138. | 2021-01-12 Cohen Parties' Opp to Pltf Mot to Appoint Receiver | Stipulated | Disputed | FRE 402, 403, 802 | |
| 18 19 | 139. | 2021-01-12 Dec of James Weymouth in Opp. To Plft Motion to Appt. Receiver | Stipulated | Disputed | FRE 402, 403, 802 | |
| 20 | 140. | 2021-01-15 Estate - O - Admitting Will to Probate | Stipulated | Stipulated | | |
| 20 | 141. | 2021-01-15 O-Loren PR | Stipulated | Stipulated | | |
| 21 | 142. | 2021-01-15 Petition for Rec on PR | Stipulated | Stipulated | | |
| 22 | 143. | 2021-01-21 Probate Notice to Creditors | Stipulated | Stipulated | | |
| 23 | 144. | 2021-02-03 BOA Creditors Claim | Stipulated | Stipulated | | |
| 24 25 | 145. | 2021-03-03 Creditors Claim of William Newcomer | Stipulated | Stipulated | | |
| | | | | | | |

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| | PLAINTIFF'S EXHIBITS | | | _ | |
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| Ex. # | Description | | | Objection | Admitted |
| 146. | | Stipulated | Disputed | | |
| | | | | | |
| 1.47 | | Ctinulated | Diameted | | |
| 147. | | Supulated | Disputed | | |
| | | | | | |
| 1/18 | | Stimulated | Stimulated | 002 | |
| 140. | | Supulated | Supulated | | |
| | | | | | |
| 149. | 2021-04-15 Julie McBride | Stipulated | Stipulated | | |
| | Creditors Claim with | • | • | | |
| | Attachments | | | | |
| 150. | | Stipulated | Stipulated | | |
| | | | | | |
| 151. | | Stipulated | Stipulated | | |
| | | Gui 1 4 1 | Gri 1 / 1 | | |
| 152. | | Stipulated | Stipulated | | |
| | | | | | |
| 152 | | Stimulated | Stimulated | | |
| 133. | | Supulated | Supulated | | |
| | | | | | |
| 154. | | Stipulated | Stipulated | | |
| 10 | Creditors Claim | 1 | 1 | | |
| 155. | 2021-06-11 Order and | Stipulated | Stipulated | | |
| | FoF Conclusions of Law- | _ | _ | | |
| | | | | | |
| | | Gr: 1 / 1 | Cui 1 4 1 | | |
| 156. | | Stipulated | Stipulated | | |
| | | | | | |
| 157 | | Stimulated | Stimulated | | |
| 137. | | Supulated | Supulated | | |
| 158 | | Stipulated | Stipulated | | |
| 150. | Aurc v. Point Ruston et al | 1 | -T | | |
| 159. | 2021-10-18 Email re | Stipulated | Stipulated | | |
| | Michael Cohen air | _ | | | |
| | mileage transfer | | | | |
| 160. | | Stipulated | Stipulated | | |
| | | | | | |
| 1.61 | | C4:11 | Diamet 1 | EDE 106 | |
| 161. | | Supulated | Disputed | | |
| | to Kemove PK | | | | |
| 162 | 2021-11-24 Rejection of | Stimulated | Disnuted | | |
| 102. | | Supulated | Disputed | | |
| | 1.5. Comer creditor ciami | | | | |
| | | | | | |
| | 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. | EX.# Description 146. 2021-03-04 J. Weymouth Transcript RE South Tempe Project 147. 2021-03-10 Deposition of James Scherbinske Highlighted 148. 2021-03-25 Thomsen Creditors Claim with Attachments 149. 2021-04-15 Julie McBride Creditors Claim with Attachments 150. 2021-04-19 Alaska Credit Union Creditors Claim 151. 2021-05-17 Peoples Bank Creditors Claim 152. 2021-05-25 Unopposed Motion re Stip Judgment Point Ruston Litigation 153. 2021-05-26 Notice of Approval of Thomsen Claim Settlement 154. 2021-06-07 Wells Fargo Creditors Claim 155. 2021-06-11 Order and FoF Conclusions of Law-Ruston LLC v. Point Ruston et al 156. 2021-06-21 S Cohen-L Cohen email re Mexico accounts 157. 2021-08-27 Hanmi Bank Creditors Claim 158. 2021-10-08 Judgment - Aurc v. Point Ruston et al 159. 2021-10-18 Email re Michael Cohen air mileage transfer 160. 2021-11-16 Amended Order of Sale of RE Property 161. 2021-11-22 Newcomer M to Remove PR | Ex. # Description Authenticity 146. 2021-03-04 J. Weymouth Transcript RE South Tempe Project 147. 2021-03-10 Deposition of James Scherbinske Highlighted 148. 2021-03-25 Thomsen Creditors Claim with Attachments 149. 2021-04-15 Julie McBride Creditors Claim with Attachments 150. 2021-04-19 Alaska Credit Union Creditors Claim 151. 2021-05-17 Peoples Bank Creditors Claim 152. 2021-05-25 Unopposed Motion re Stip Judgment Point Ruston Litigation 153. 2021-05-26 Notice of Approval of Thomsen Claim Settlement 154. 2021-06-07 Wells Fargo Creditors Claim 155. 2021-06-11 Order and Fof Conclusions of Law-Ruston LLC v. Point Ruston et al 156. 2021-06-21 S Cohen-L Cohen email re Mexico accounts 157. 2021-08-27 Hanmi Bank Creditors Claim 158. 2021-10-08 Judgment - Aurc v. Point Ruston et al 159. 2021-10-18 Email re Michael Cohen air mileage transfer 160. 2021-11-16 Amended Order of Sale of RE Property 161. 2021-11-22 Newcomer M to Remove PR 162. 2021-11-24 Rejection of Stipulated | EX.# Description Authenticity Admissibility | EX.# Description Authenticity Admissibility Objection |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|----------|-------|--|--------------|---------------|--------------------------|----------|
| _ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 163. | 2021-12-17 Estate - O- | Stipulated | Stipulated | FRE 106, | |
| 3 | | Removing L.Cohen as PR | | | 402, 403, 802 | |
| 4 | 164. | 2021-12-17 Transcript of Hearing re Removing L Cohen as PR | Stipulated | Stipulated | | |
| 5 | 165. | 2021-2023 CWS Ruston Accounts Annual Reports | Stipulated | Stipulated | | |
| 6 | 166. | 2022-01-14 Sheriffs Return on Writ of | Stipulated | Stipulated | | |
| 7 | | Execution on Newcomer Deed | | | | |
| 8 | 167. | 2022-01-21 Hearing Transcript | Stipulated | Stipulated | | |
| 9 | 168. | 2022-01-21 Order Appointing Successor PR | Stipulated | Stipulated | | |
| 10 | 169. | 2022-02-11 Creditor's Claim of DLA Piper LLP | Stipulated | Stipulated | | |
| 11 | 170. | 2022-02-17 Estate - O- Denying M-Sale of | Stipulated | Stipulated | FRE 402, 403, 802 | |
| 12 | | Boat.pdf | G/: 1 / 1 | Gr. 1 . 1 | 403, 802 | |
| 13 | 171. | 2022-03-30 Creditors Claim of PC Collections | Stipulated | Stipulated | | |
| 14 | 172. | 2022-04-22 Dec of Carol Vaughn ISO Attys Fees | Stipulated | Disputed | FRE 402, 403, 802 | |
| 15 16 | 173. | 2022-05-22 Excerpt from Dep of L. Cohen, pp. 384- 388 | Stipulated | Disputed | p. 386 violates DM | |
| 17 | 174. | 2022-05-27 Estate - O- Approving Payment of GAL Fees | Stipulated | Disputed | FRE 402, 403, 802 | |
| 18 | 175. | 2022-05-27 Estate - O- Approving Status Report | Stipulated | Disputed | FRE 402, 403, 802 | |
| 19 | | & Actions of Successor PR thru 3.31.22 FIRST | | | , | |
| 20 | 176. | 2022-05-27 Estate - O- Denying L.Cohen M- | Stipulated | Disputed | FRE 402, 403, 802 | |
| 21 | 177. | Relief from Order 2022-05-27 Estate - O- | Stipulated | Stipulated | | |
| 22 | | Denying M-Enjoin Confirmation of Sale | _ | - | | |
| 23 | 178. | 2022-05-27 Estate - O- Expert Witness; Trial | Stipulated | Disputed | FRE 402, 403, 802 | |
| 24 | | Retainer [McDaniel Group] | | | | |
| 25 | 179. | 2022-06-03 Pet. for Award for Minor Children by | Stipulated | Disputed | FRE 802 | |
| 26 | | GAL | | | | |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|-----|-------|---|--------------|---------------|----------------------|----------|
| ا ۾ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 180. | 2022-06-07 Estate - O- | Stipulated | Disputed | FRE 402, | |
| 3 | | Expert Witness | | | 403, 802 | |
| 3 | | [CORRECTED] | | | | |
| 4 | | [McDaniel Group] | Gr. 1 . 1 | D: 4 1 | EDE 002 | |
| ٠, | 181. | 2022-06-29 Stebbins ltr to Moen encl M. Cohen file | Stipulated | Disputed | FRE 802 | |
| 5 | 100 | 2022-07-05 COA Oral | Stipulated | Disputed | FRE 402, | |
| | 182. | Argument Transcript | Supulated | Disputed | 403, 802 | |
| 6 | 183. | 2022-08-15 Declaration of | Stipulated | Stipulated | 403, 602 | |
| | 165. | Jim Scherbinske | Supulated | Supulated | | |
| 7 | 184. | 2022-09-02 Second | Stipulated | Stipulated | | |
| | 104. | Report of Successor PR | Supulation | Supulation | | |
| 8 | | and Petition | | | | |
| 9 | 185. | 2022-09-07 S Cohen | Stipulated | Stipulated | | |
| 9 | | Email re Lee Cohen out of | | | | |
| 10 | | agreement | | | | |
| 10 | 186. | 2022-09-13 Dec of Lee | Stipulated | Stipulated | | |
| 11 | | Cohen | C4:1-41 | D'4-1 | EDE 400 | |
| | 187. | 2022-09-23 Estate - O- | Stipulated | Disputed | FRE 402, 403, 802 | |
| 12 | | Approving Status Report; Actions of Successor PR | | | 403, 802 | |
| | | thru 8.31.22 SECOND | | | | |
| 13 | 188. | 2022-09-23 Estate - O- | Stipulated | Disputed | FRE 402, | |
| 14 | 100. | Denying M-CR 11 | 1 | | 403, 802 | |
| 14 | | Sanctions | | | · | |
| 15 | 189. | 2022-09-23 Estate - O- | Stipulated | Disputed | FRE 106 | |
| | | Granting Entry of | | | | |
| 16 | | Protective Order | Gr. 1 . 1 | Cui 1 4 1 | | |
| | 190. | 2022-09-23 Hearing | Stipulated | Stipulated | | |
| 17 | 101 | Transcript 2022-10-19 Dec of Susan | Stipulated | Stipulated | | |
| 10 | 191. | Cohen | Supulated | Supulated | | |
| 18 | 192. | 2022-11-08 Dec of Due | Stipulated | Stipulated | | |
| 19 | 1,72. | Diligence - Loren Cohen | F | | | |
| 1 | 193. | 2022-11-08 L. Cohen Obj- | Stipulated | Stipulated | | |
| 20 | | Responses to PR 1st | _ | _ | | |
| | | Rogs-RFPs | | | | |
| 21 | 194. | 2022-11-08 Loren Cohen | Dispute | Disputed | FRE 106 | |
| _ | | Partial Responses to Rogs | | | | |
| 22 | 105 | Redacted 2022-11-28 Dec of Carol | Ction late 1 | Dianutad | EDE 402 | |
| 22 | 195. | Vaughn Re Fees and Costs | Stipulated | Disputed | FRE 402, 403, 802 | |
| 23 | 196. | 2022-11-28 Third Report | Stipulated | Stipulated | 403, 602 | |
| 24 | 190. | of Successor PR | Supulated | Supulated | | |
| | 197. | 2022-11-29 JLL Valuation | Stipulated | Disputed | FRE 402, | |
| 25 | 177. | of Building 18 and | | | 403, 802 | |
| | | Century Building | | | | |
| 26 | | | | | | |

| | | PLAINTIFF'S | | | | |
|-----|-------|--|----------------|---------------|-----------|----------|
| 1 | | EXHIBITS | | | | |
| _ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 198. | 2022-12-02 Estate - O- | Stipulated | Disputed | FRE 402, | |
| 3 | | Approving Conclude | | | 403, 802 | |
| 3 | | Federal Foreclosure by | | | | |
| 4 | | Stip Order & Jdgmt; and | | | | |
| 7 | 100 | Fees Against L.Cohen | C4:1-41 | C4:1-4-1 | | |
| 5 | 199. | 2022-12-09 Amended Findings of Fact and | Stipulated | Stipulated | | |
| | | Conclusions of Law | | | | |
| 6 | | Amended Newcomer Case | | | | |
| | 200. | 2022-12-22 Dec of Bruce | Stipulated | Disputed | FRE 402, | |
| 7 | 200. | Moen in Support of Attys | Supulated | Disputed | 403, 802 | |
| | | Fees | | | 103, 002 | |
| 8 | 201. | 2022-12-22 Dec of Carol | Stipulated | Disputed | FRE 402, | |
| | 201. | Vaughn re Lack of | 1 | 1 | 403, 802 | |
| 9 | | Reliability of Valuation | | | , | |
| 10 | 202. | 2023-01-06 Newcomer | Stipulated | Stipulated | | |
| 10 | | Judgment | • | - | | |
| 11 | 203. | 2023-01-10 Newcomer's | Stipulated | Stipulated | | |
| 11 | | Resp to 3rd Report of PR | | | | |
| 12 | 204. | 2023-01-11 Dec of Carol | Stipulated | Disputed | FRE 402, | |
| | | Vaughn in Support of | | | 403, 802 | |
| 13 | | Attorney Fees | Gr. 1 / 1 | D: 4 1 | EDE 402 | |
| | 205. | 2023-01-13 Estate - O- | Stipulated | Disputed | FRE 402, | |
| 14 | | Approving 3rd Status Report; Actions of SPR | | | 403, 802 | |
| | | thru 8.31.22 THIRD | | | | |
| 15 | 206. | 2023-01-13 Estate - O- | Stipulated | Disputed | FRE 402, | |
| 1. | 200. | Denying L.Cohen M- | Supulated | Disputed | 403, 802 | |
| 16 | | Correct Clarify 1.13.23 | | | , | |
| 17 | | Order | | | | |
| 1 / | 207. | 2023-01-13 Transcript of | Stipulated | Disputed | FRE 106 | |
| 18 | | court hearing on motion to | • | • | | |
| 10 | | strike | | | | |
| 19 | 208. | 2023-01-27 Final Findings | Stipulated | Stipulated | | |
| | | of Fact and Conclusions | | | | |
| 20 | | of Law Newcomer | G.: 1 . 1 | G.: 1 . 1 | | |
| | 209. | 2023-02-15 SPR Petition | Stipulated | Stipulated | | |
| 21 | 210 | to Sell Cause of Action | Ctional at a d | Ctimulat - 1 | | |
| _ | 210. | 2023-03-30 Opposition to | Stipulated | Stipulated | | |
| 22 | 211 | Request to Con't Motions 2023-03-31 Estate - O- | Stipulated | Stipulated | | |
| 22 | 211. | Denying M-Sell Cause of | Supulated | Supulated | | |
| 23 | | Action | | | | |
| 24 | 212. | 2023-03-31 Estate - O- | Stipulated | Disputed | FRE 402, | |
| 24 | 212. | MSJ [Denying L.Cohen] | ~upuiuou | Dispatou | 403, 802 | |
| 25 | 213. | 2023-03-31 Estate - O- | Stipulated | Disputed | FRE 402, | |
| | -15. | Petition to Abandon | | | 403, 802 | |
| 26 | | Vehicle Titles.pdf | | | | |
| | | - | | | | |

| | PLAINTIFF'S EXHIBITS | | | | |
|-------|--|--------------|---------------|----------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 214. | 2023-03-31 Hearing Transcript | Stipulated | Stipulated | 0.0,000.00 | |
| 215. | 2023-04-04 Sheriff's Deed to RE Property | Stipulated | Stipulated | | |
| 216. | 2023-04-21 Dec of Bruce Moen | Stipulated | Disputed | FRE 402, 403, 802 | |
| 217. | 2023-04-21 Vaughn Report to Probate Court Pursuant to IRS Summons | Stipulated | Stipulated | | |
| 218. | 2023-05-04 Loe-Vaughn email trail re Cohen Estate | Stipulated | Disputed | FRE 402, 403, 802 | |
| 219. | 2023-05-05 Order Approving 4th Report of PR | Stipulated | Stipulated | · | |
| 220. | 2023-05-05 Transcript of Hearing in PCSC re attacks on Vaughn | Stipulated | Stipulated | | |
| 221. | 2023-05-09 Matter of Cohen COA Unpub. Op. | Stipulated | Disputed | FRE 402, 403, 802 | |
| 222. | 2023-05-11 Vaughn Memo to File re | Stipulated | Disputed | FRE 402, 403, 802 | |
| | conversation with Kyle Johnson | | | , | |
| 223. | 2023-05-12 Estate - O- Granting L.Cohen M- Seal.pdf | Stipulated | Disputed | FRE 402, 403, 802 | |
| 224. | 2023-07-07 PR Complaint for Dec Judgment | Stipulated | Stipulated | | |
| 225. | 2023-07-21 Estate - O- Approving Report of SPR [12.1.22 thru 6.30.23] FIFTH | Stipulated | Disputed | FRE 402, 403, 802 | |
| 226. | 2023-07-21 Estate - O- Approving; Authorizing Payment of GAL Fees | Stipulated | Disputed | FRE 402, 403, 802 | |
| 227. | 2023-07-21 Hearing Transcript | Stipulated | Disputed | FRE 402, 403, 802 | |
| 228. | 2023-07-27 Dec of Carol Vaughn to Confirm Authority to Litigate | Stipulated | Disputed | FRE 402, 403, 802 | |
| 229. | Claims 2023-07-28 Estate - O- Permit SPR to Provide | Stipulated | Disputed | FRE 402, 403, 802 | |
| | Estate Docs to Estate Creditor | | | , | |

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| 1 | | PLAINTIFF'S EXHIBITS | | | | |
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| ا ۾ | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 3 | 244. | 2024-07-09 Exhibit B ISO Vaughn Dec (CERCLA | Stipulated | Disputed | FRE 402, 403, 802 | |
| 4 | 245. | claim 2021) 2024-07-09 Exhibit C ISO Vaughn Dec (Loren Dec. | Stipulated | Disputed | FRE 106, 402, 403, | |
| 5 | | 2015) | | | 802, does not comply with LCR | |
| 6 | | | | | 32 | |
| 7 | 246. | 2024-07-09 Exhibit D ISO Vaughn Dec (Thomsen Stip. Judg. 2021) | Stipulated | Stipulated | | |
| 8 | 247. | 2024-07-09 Exhibit A ISO | Stipulated | Disputed | FRE 402, | |
| 9 | | Vaughn Dec (Cohen Dec. 2018, 2015) | | | 403, 802 | |
| 10 | 248. | 2024-07-09 Vaughn Dec ISO Opp to MSJ re | Stipulated | Disputed | FRE 106, 402, 403, | |
| 11 | | Newcomer UVTA | | | 802, does not comply | |
| 12 | | | | | with LCR 32 | |
| 13 | 249. | 2024-07-22 Expert Report of Jennifer Piel MD | Stipulated | Disputed | FRE 402, 403, 802, 702-704 | |
| 14 | 250. | 2024-07-25 Dec of Carol | Stipulated | Disputed | FRE 402, | |
| 15 | 251. | Vaughn re Attorneys Fees 2024-07-26 Estate - O- | Stipulated | Disputed | 403, 802 FRE 402, | |
| 16 | | Approving SPR Report; Instructions [1.1.24 thru 6.30.24] NINTH | | | 403, 802 | |
| 17 | 252. | 2024-09-23 Newcomer | Stipulated | Disputed | FRE 402, | |
| 18 | | Expert Witness Discl | | | 403, 802, 702-704 | |
| 19 | 253. | 2024-09-26 Newcomer SDT to Loren Cohen et al | Stipulated | Disputed | FRE 402, 403, 802, | |
| 20 | 254. | re tax returns 2024-10-09 Vaughn PR | Stipulated | Disputed | 702-704 FRE 802 | |
| 21 | | Second Amended Complaint | Cr. 1 . 1 | Cu: 1 4 1 | | |
| 22 23 | 255. | 2024-10-17 C. Vaughn Resp to L Cohen 2 Rogs RFPs | Stipulated | Stipulated | | |
| 24 | 256. | 2024-10-17 Excerpt of Dep of Susan Cohen | Stipulated | Disputed | FRE 402, 403, 802 | |
| 25 | 257. | 2024-10-28 Unpublished Opinion COA 86612-5-I | Stipulated | Disputed | FRE 402, 403, 802 | |
| 26 | 258. | 2024-11-12 Excerpt of Lee Cohen Dep | Stipulated | Disputed | FRE 802, 106 | |
| | | | | | | |

| 1 | | PLAINTIFF'S EXHIBITS | | | | |
|----------|-------|--|--------------|---------------|---|-------------|
| 1 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 259. | 2024-11-13 C. Stebbins | Stipulated | Disputed | FRE 802 | 24011111111 |
| 3 | 2001 | Letter re delivery of tax returns | • | • | | |
| 4 | 260. | 2024-11-13 Excerpt of Deposition of Curtis | Stipulated | Disputed | FRE 106, 402, 403, | |
| 5 | | Stebbins | | | 802, does not comply with LCR | |
| 6 | | | | | 32 | |
| 7 8 | 261. | 2024-11-15 Excerpt of Amara Cohen Dep | Stipulated | Disputed | FRE 106, 402, 403, 802, does | |
| 9 | | | | | not comply with LCR 32 | |
| 10 | 262. | 2024-11-21 WSG Rebuttal to Dec. of B. Bobb | Stipulated | Disputed | FRE 802, 702-704 | |
| 11 | 263. | 2024-11-22 Van Zandt Report in response to Dec. | Stipulated | Disputed | FRE 802, 702-704 | |
| 12 | 264. | of B. Bobb 2024-12-03 Vaughn Dec ISO 3rd Am Compl. | Stipulated | Disputed | FRE 802, 702-704 | |
| 13 14 | 265. | 2024-12-04 ISO Vaughn 3rd Am (Pic of Michael | Disputed | Disputed | FRE 402, 403 | |
| 15 | 266. | Cohen in hospital) 2024-12-04 ISO Vaughn Dec 3rd Am | Stipulated | Stipulated | | |
| 16 17 | 267. | 2024-12-18 James Scherbinske Depo. Transcript | Stipulated | Disputed | FRE 106, 802, does not comply with LCR | |
| 18 | | | | | 32 | |
| 19 | 268. | 2024-12-19 Excerpt of James Scherbinske Depo | Stipulated | Disputed | FRE 106, 802, does not comply | |
| 20 | | | | | with LCR | |
| 21 | 269. | 2024-12-23 Vaughn Dec ISO MSJ 1 | Stipulated | Disputed | FRE 106, 402, 403, | |
| 22 | | | | | 802, does not comply | |
| 23 | | | | | with LCR 32 | |
| 24 | 270. | 2024-12-23 Vaughn DEC ISO MSJ 2 | Stipulated | Disputed | FRE 106, 402, 403, | |
| 25 | | | | | 802, does not comply | |
| 26 | | | | | with LCR 32 | |

| 1 | | PLAINTIFF'S | | | | |
|----------|-------|-------------------------------------|--------------|---------------|------------------------|----------|
| 1 | Ex. # | EXHIBITS Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | 271. | 2025-01-09 Notice of | Stipulated | Stipulated | Objection | Aumitteu |
| | 2/1. | Newcomer Settlement | Supulated | Supulated | | |
| 3 | 272. | 2025-01-14 Vaughn - | Stipulated | Disputed | FRE 802, | |
| | 2,2. | Dec-Goffe [Strike] | o ap anamon | | 702-704 | |
| 4 | 273. | 2025-01-17 Vaughn | Stipulated | Stipulated | | |
| _ | | Objection to Newcomer | _ | _ | | |
| 5 | | Settlement | | | | |
| 6 | 274. | 2025-01-21 Vaughn Dec | Stipulated | Disputed | FRE 106, | |
| <u> </u> | | ISO Response to LC MSJ | | | 402, 403, | |
| 7 | | | | | 802, does | |
| | | | | | not comply with LCR | |
| 8 | | | | | 32 | |
| | 275. | Exhibits to Rebuttal to | Stipulated | Disputed | ER 802 | |
| 9 | 273. | Decl. of B. Bobb | 1 | | | |
| 10 | | (combined) | | | | |
| 10 | 276. | RCW 11.40.150 | Stipulated | Stipulated | | |
| 11 | 277. | Undated Cohen Business | Disputed | Disputed | ER 802 | |
| | | Interests List | | | | |
| 12 | 278. | Undated Cohen email re | Stipulated | Stipulated | | |
| | | options to Mike | | | | |
| 13 | 279. | JOHNSON 6-13 Undated Handwritten | Disputed | Disputed | FRE 402, | |
| 14 | 279. | Notes re Tempe | Disputed | Disputed | 403, 802 | |
| 14 | 280. | Undated Memo of | Stipulated | Stipulated | 105, 002 | |
| 15 | 200. | Understanding-various | 1 | 1 | | |
| | | Cohen businesses- | | | | |
| 16 | | unsigned | | | | |
| | 281. | Undated Mexico | Stipulated | Disputed | FRE 402, | |
| 17 | 202 | Agreement Undated MOU Tempe | Disputed | Disputed | 403, 802 FRE 402, | |
| 18 | 282. | Olidated MOO Tempe | Disputed | Disputed | 403, 802 | |
| 10 | 283. | Undated Stebbins | Stipulated | Disputed | FRE 802 | |
| 19 | 203. | Handwritten note | Supulated | Disputed | 1162 002 | |
| | 284. | Petition for Award for | Stipulated | Disputed | FRE 802 | |
| 20 | | Minor Children | _ | _ | | |
| _ [| 285. | 2015-12-10 Willock Dec | Stipulated | Disputed | FRE 402, | |
| 21 | | ISO Mot Stay Alt Security | Grid 1 : 1 | Di di | 403, 802 | |
| 22 | 286. | 2020-09-17 Gookin Dec | Stipulated | Disputed | FRE 402, | |
| 22 | 207 | ISO MSJ 2021-01-12 Statutory | Stipulated | Disputed | 403, 802 FRE 402, | |
| 23 | 287. | Warranty Deed | Supulated | Disputed | 403, 802 | |
| | 288. | 2021-01-19 Real Estate | Stipulated | Disputed | FRE 402, | |
| 24 | 200. | Excise Tax Aff. | | F | 403, 802 | |
| _ | 289. | 2021-01-12 Cohen Opp to | Stipulated | Disputed | FRE 402, | |
| 25 | | Mot for Receiver | | | 403, 802 | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

| | PLAINTIFF'S EXHIBITS | | | | |
|-------|---------------------------|--------------|---------------|-----------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 290. | 2018-10-15 Email from C. | Stipulated | Disputed | FRE 402, | |
| | Stebbins to M. Cohen and | | | 403, 802 | |
| | L.Cohen | | | | |
| 291. | 01-12-2021 Decl. P. Ficca | Stipulated | Disputed | FRE 402, | |
| | | | | 403, 802 | |
| 292. | 01-15-2021 Hearing | Stipulated | Disputed | FRE 402, | |
| | Transcript | _ | _ | 403, 802 | |
| 293. | 03-26-2020 Mtn | Stipulated | Disputed | FRE 402, | |
| | Alternative Security | _ | _ | 403, 802 | |
| 294. | 06-11-2021 Dec L. Cohen | Stipulated | Disputed | FRE 402, | |
| | | _ | _ | 403, 802 | |
| 295. | 02-21-2017 Dec L. Cohen | Stipulated | Disputed | FRE 402, | |
| | | • | | 403, 802 | |
| 296. | 03-26-2020 Dec L. Cohen | Stipulated | Disputed | FRE 402, | |
| | | • | _ | 403, 802 | |

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| | | UNITED STATES EXHIBITS | | | | |
| II | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | 2020 1040 Individual Income Tax Return, Michael Cohen, DOJ- 0006563-97 | Stipulated | Disputed | FRE 402, 403, 802 | |
| | | Form 4340 Certificate of Official Record of Assessments, DOJ- 007525-63 | Stipulated | Disputed | FRE 402, 403, 802 | |
| | | June 22, 2022, NFLT, DOJ-007564-65 | Stipulated | Disputed | FRE 402, 403, 802 | |
| | | Form 2373, Statement of Internal Revenue Taxes Due, DOJ-007670 | Stipulated | Disputed | FRE 402, 403, 802 | |

| | DEFENDANT'S EXHIBITS | | | | |
|-----|-------------------------|--------------|---------------|-----------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| # | | | | | |
| | | | (CV) | | |
| 500 | | | Stipulated | | |
| 500 | 3M&C Developing LLC | | (S&A) | | |
| | Agreement 1.23.1997 | | Stipulated | | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|---------------------|---|--------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | (CV) | | |
| 501 | KT & MC JV AGREEMENT | | Stipulated (S&A) Stipulated | | |
| | TIGICELIVIETT | | (CV) | | |
| 502 | KT & MC LLC AGREEMENT | | Stipulated (S&A) Stipulated | | |
| | AGREEMENT | | Supurated | (CV) ER | |
| 503 | Excerpt from Substitute | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| | Senate Bill 5110, dated 7/27/1997 | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, 611 | |
| | C&M CONSTRUCTION | | (CV) Stipulated | | |
| 504 | MANAGEMENT LLC AGREEMENT | | (S&A) Stipulated | | |
| | M&J REAL ESTATE | | (CV) Stipulated | | |
| 505 | INVESTMENT LLC AGREEMENT | | (S&A) Stipulated | | |
| 506 | 3M&C Developing Transfer of Interest 2.1.2003 | | (CV) Stipulated (S&A) Stipulated | | |
| 505 | HAWTHORNE HILL | | (CV) Stipulated | | |
| 507 | TWO LLC AGREEMENT | | (S&A) Stipulated | | |
| | | | (CV) | | |
| 508 | BLUEBERRY FARMS LLC AGREEMENT | | Stipulated (S&A) Stipulated | | |
| | ELE TIGICLEVIENT | | (CV) | | |
| 509 | DELTA DAWN DEVELOPING JV | | Stipulated (S&A) | | |
| | AGREEMENT | | Stipulated (CV) | | |
| 510 | Delta Dawn Developing LLC - Operating | | Stipulated (S&A) | | |
| | Agreement | | Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|-----------------------|-------------------------|-----------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | DELTA DAWN DEVELOPING LLC | | (CV) | | |
| 511 | Modification and | | Stipulated | | |
| | Addendum to LLC agreement | | (S&A) Stipulated | | |
| | | | (CV) Stipulated | | |
| 512 | MC RUSTON LLC | | (S&A) | | |
| | AGREEMENT | | Stipulated | (CV) ER | |
| | Promissory Note in the | (CV) | | 402, 403, | |
| 513 | amount of \$15,000,000 between Point Ruston | Stipulated (S&A) | (CV) Disputed (S&A) | 611 (S&A) ER 402, 403, | |
| | and James Weymouth | Stipulated | Disputed | 611 | |
| | | (67.5) | | (CV) ER | |
| 514 | Loan Agreement for \$15,000,000 between | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| 314 | Point Ruston and James | (S&A) | (S&A) | ER 402, 403, | |
| | Weymouth | Stipulated | Disputed | 611 (CV) ER | |
| | Guaranty Agreement | (CV) | | 402, 403, | |
| 515 | between Cohen and | Stipulated | (CV) Disputed (S&A) | 611 (S&A) ER 402, 403, | |
| | Weymouth regarding \$15,000,000 loan | (S&A) Stipulated | Disputed | 611 | |
| | | | (CV) | | |
| 516 | Statutory Warranty | | Stipulated (S&A) | | |
| | Deed, dated 1/21/2011 | | Stipulated | | |
| | Rainier Property | | (CV) Stipulated | | |
| 517 | Services Operating | | (S&A) | | |
| | Agreement | | Stipulated (CV) | | |
| 518 | | | Stipulated | | |
| 310 | The LMC Family Trust | | (S&A) Stipulated | | |
| | The English Luminy Trust | | (CV) | | |
| 519 | Letters of Testamentry- | | Stipulated (S&A) | | |
| 1 | Letters of Testamentry | | Stipulated | | I |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|---------------------------------|-------|--|---|---|---|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 4 | 520 | Palm Villa Investments | | (CV) Stipulated (S&A) Stipulated | | |
| 5 6 7 | 521 | Court's Instructions to the Jury, filed in Pierce County Case Number 14-2-05136-6 on 9/21/2015 | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403 (S&A) ER 402, 403 | |
| 8 9 10 | 522 | Special Verdict Form, entered in Pierce County Case Number 14-2- 05136-6 on 9/21/2015 | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403 (S&A) ER 402, 403 | |
| 11 12 | 523 | Deed of Trust, Twinstar, dated 9/23/2015 | • | (CV) Stipulated (S&A) | | |
| 13 14 15 | 524 | Judgment on Verdict entered in Pierce County Superior Court Case No. 14-2-05136-6 on 10/9/2015 | | (CV) Stipulated (S&A) Stipulated | | |
| 16 17 | 525 | MCMG LLC Agreement | | (CV) Stipulated (S&A) Stipulated | | |
| 18 19 | | | | (CV) Stipulated | | |
| 20 | | Stipulated Order Vacating Prior Orders, | | provided additional pleadings from | | |
| 21 22 | 526 | Approving Alternate Supersedeas Security, and Staying | | this action are admitted (S&A) | | |
| 23 | | Enforcement of Judgment with excerpts | | Stipulated provided | | |
| 2425 | | of its exhibits, entered in Pierce County Case Number 14-2-05136-6 | | additional pleadings from this action are | | |
| 26 | | on 2/19/2016 | | admitted | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|---------------------|-------------------------------|-----------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | (CV) | | |
| 4 | 527 | | | Stipulated (S&A) | | |
| 5 | | POA-Palm Villa | | Stipulated | | |
| 6 | 528 | zzz_EI - Third Party Deposit Legal Order | | (CV) Stipulated (S&A) | | |
| 7 | | executed | | Stipulated | | |
| 8 | 529 | First Amendment to Operating Agreement - | | (CV) Stipulated | | |
| 9 | 327 | Palm Villa Investments, LLC_executed | | (S&A) Stipulated | | |
| 10 | | Dalus Villa Inscretorents | | (CV) | | |
| 11 | 530 | Palm Villa Investments - Purchase & Sale - Fully | | Stipulated (S&A) | | |
| 12 | | Executed 05112016 | | Stipulated | | |
| 13 | 531 | Last Will and Testament of Michael Arthur | | (CV) Stipulated (S&A) | | |
| 14 | | Cohen, dated 12/02/2016 | | Stipulated | | |
| 15 | 520 | M&J Real Estate | | (CV) Stipulated | | |
| 16 | 532 | Investment 2016 Tax Return Form 1065 | | (S&A) Stipulated | | |
| 17 | | Mandate, executed | | | | |
| 18 | | 6/25/18 by the Court of Appeals Division II in | | | (CV) ER | |
| 19 | 533 | Case No. 48233-9-11 and e-filed on the same | (CV) | | 402, 403, 801, 802 | |
| 20 | | date in Pierce County | Stipulated | (CV) Disputed | (S&A) ER | |
| 21 | | Superior Court Case No. 14-2-05136-6 | (S&A) Stipulated | (S&A) Disputed | 402, 403, 801, 802 | |
| 22 | | | (CV) | | (CV) ER 402, 403, | |
| 23 | 534 | Point Duston Einensis! | Stipulated | (CV) Disputed | 611 (S&A) | |
| 24 | | Point Ruston Financial Package | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, 611 | |
| 25 | | Judgment, entered in Pierce County Superior | | (CV) Stipulated | | |
| 26 | 535 | Court Case No.14-2- | | (S&A) | | |
| 20 | | 05136-6 on 7/20/2018 | | Stipulated | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----------|------|--|--------------|-------------------------------------|-----------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 4 | 536 | M&J Real Estate Investment 2017 Tax | | (CV) Stipulated (S&A) | | |
| 5 | | Return Form 1065 | | Stipulated (CV) | | |
| 6 | 537 | 2017 Tax Return | | Stipulated (S&A) Stipulated | | |
| 8 | 538 | 2017 Tax Return | | (CV) Stipulated (S&A) | | |
| 10 | | EIN - NPV, LLC (1) | | Stipulated (CV) | | |
| 11 | | | | Stipulated provided | | |
| 12 | | | | unredacted document is | | |
| 13 | 539 | | | made available (S&A) | | |
| 14 | | Bank Statement for | | Stipulated provided | | |
| 15 | | McBride-Cohen | | unredacted document is | | |
| 16 | | Management Group LLC, dated 1-31-2019 | | made available | | |
| 17 18 | 540 | Washington Secretary of State documens for PC | | (CV) Stipulated (S&A) | | |
| 19 | | Collections | | Stipulated | | |
| 20 | | | | (CV) Stipulated | | |
| 21 | | | | provided additional | | |
| 22 | 541 | | | pleadings from this action are | | |
| 23 | 3-11 | CR 2A Agreement, | | admitted (S&A) | | |
| 24 | | which was e-filed on | | Stipulated | | |
| 25 | | 2/6/2019 in Pierce County Superior Court | | provided additional | | |
| 26 | | Case No. 14-2-05136-6. | | pleadings from | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|--------------|-----------------------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | this action are admitted | | |
| 4 | | | | admitted | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | | | | (CV) | | |
| 11 | | | | Stipulated | | |
| 12 | | | | provided additional | | |
| 13 | | | | pleadings from this action are | | |
| 14 | 542 | | | admitted | | |
| 15 | | March 8, 2019 Pierce | | (S&A) Stipulated | | |
| 16 | | County Filing (14-2- 05136-6) Motion to | | provided additional | | |
| 17 | | Enforce CR 2A | | pleadings from | | |
| 18 | | Agreement and Dismiss Claims | | this action are admitted | | |
| 19 | | | | (CV) Stipulated | | |
| 20 | | | | provided | | |
| | | | | additional pleadings from | | |
| 21 | | | | this action are admitted | | |
| 22 | 543 | Motion to Enforce CR | | (S&A) | | |
| 23 | | 2A Agreement and Dismiss Claims, which | | Stipulated provided | | |
| 24 | | was e-filed in Pierce | | additional | | |
| 25 | | County Superior Court Case No. 14-2-05136-6 | | pleadings from this action are | | |
| 26 | | on 3/8/2019 | | admitted | | |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|-----|--|---|---|-----------|----------|
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | 544 | Pierce County Filing (14-2-05136-6) Assignment of Judgments | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | | |
| : | 545 | Assignment of Judgments, e-filed in Pierce County Superior Court Case No. 14-2- 05136-6 on 4/12/2019 | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | | |
| | 546 | Mandate, executed by the Court of Appeals Division II in Case No. 52612-3-11 on 3/4/2019, and filed in Pierce County Superior Court Case No. 14-2-05136-6 on 4/15/2019 | · | (CV) Stipulated (S&A) Stipulated | | |
| | 547 | Certificate of Finality, executed by the Court of Appeals Division II in Case No. 52709-0-11 on 3/4/2019, and filed in Pierce County Superior Court Case No. 14-2- 05136-6 on 4/15/2019 | | (CV) Stipulated (S&A) Stipulated | | |
| | 548 | Deed of trust, O Bee Credit Union, dated 6/19/2019 | | (CV) Stipulated (S&A) Stipulated | | |
| | 549 | Mandate, executed by the Court of Appeals Division II in Case No. 52122-9-11 on 8/15/2019, and e-filed in Pierce County Superior Court Case No. 14-2- 05136-6 on 8/29/2019 | | (S&A) Stipulated | | |
| | 550 | M&J Real Estate Investment 2018 Tax Return Form 1065 | | (CV) Stipulated (S&A) Stipulated | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|--------------|-------------------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | π | | | (CV) | | |
| 4 | | | | Stipulated | | |
| 4 | | | | provided related | | |
| 5 | | | | Guaranty | | |
| 6 | | | | Agreement | | |
| | | | | dated | | |
| 7 | | | | 10/11/2019 | | |
| 8 | | | | regarding and Corporate | | |
| | | | | Resolution of | | |
| 9 | | | | Point Ruston | | |
| 10 | | | | LLC dated | | |
| 11 | | | | 10/11/2019 are | | |
| 11 | 551 | | | admitted (S&A) | | |
| 12 | | | | Stipulated | | |
| 13 | | | | provided | | |
| | | | | related | | |
| 14 | | | | Guaranty Agreement | | |
| 15 | | | | dated | | |
| | | | | 10/11/2019 | | |
| 16 | | | | regarding and | | |
| 17 | | December 20 No. 4 to 41 a | | Corporate | | |
| 18 | | Promissory Note in the amount of \$1,100,000 | | Resolution of Point Ruston | | |
| 16 | | between Point Ruston | | LLC dated | | |
| 19 | | and JLW Point Ruston | | 10/11/2019 are | | |
| 20 | | Investments, LLC | | admitted | | |
| | | Guaranty Agreement by Michael Cohen, Loren | | (CV) Stipulated See | | |
| 21 | | Cohen, and JLW Point | | COHEN-0085 | | |
| 22 | 552 | Ruston Investments, | | (S&A) | | |
| 22 | | LLC reagrding | | Stipulated See | | |
| 23 | | \$1,100,000 loan | | COHEN-0085 | | |

25

24

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|-----------------------|-------------------------------|--------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | ,, | | | (CV) | | |
| 4 | | | | Stipulated provided | | |
| 5 | | | | additional documents | | |
| 6 | | | | from this action | (CIV ED | |
| 7 | 553 | | | are admitted (S&A) | (CV) ER 402, 403, | |
| 8 | | Final Judgment and | | Stipulated provided | 611, 801, 802, 805 | |
| 9 | | Foreclosure Decree, | (CV) | additional | (S&A) ER | |
| 10 | | entered in Pierce County Case Number 16-2- | Stipulated (S&A) | documents from this action | 402, 403, 611, 801, | |
| 11 | | 13153-6 on 3/6/2020 | Stipulated | are admitted | 802, 805 | |
| 12 | | | | (CV) Stipulated | | |
| | | | | provided additional | | |
| 13 | | | | documents | | |
| 14 | 554 | | | from this action are admitted | | |
| 15 | 334 | Amended Final | | (S&A) Stipulated | | |
| 16 | | Judgment and | | provided | (CV) ER | |
| 17 | | Foreclosure Decree, entered in Pierce County | (CV) Stipulated | additional documents | 402, 403, 611 (S&A) | |
| 18 | | Case Number 16-2- | (S&A) | from this action | ER 402, 403, | |
| 19 | | 13153-6 on 3/23/2020 Email from Timothy | Stipulated | are admitted | 611 | |
| 20 | | Batanian to Mike Cohen, Kyle Johnson, G | | | (CV) ER | |
| 21 | 555 | Chester, Ryan Rehberg, | | | 901, 902 | |
| 22 | | Jill Nowogroski, Loren Cohen re Michael Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 801, ER 802, | |
| 23 | | Spousal Equivalent Access Trust | (S&A) Disputed | (S&A) Disputed | ER 805, ER 901, 902 | |
| 24 | | Email from timothy | Disputed | Disputed | | |
| 25 | 556 | Batanian to Mike Cohen, Kyle Johnson, Loren | (CV) Disputed | (CV) Disputed | (CV) ER 901, 902 | |
| 26 | | Cohen re Mike Cohen | (S&A) | (S&A) | (S&A) ER | |
| 20 | | Letter | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|-------------------------|------------------------|-------------------------|------------------------|--------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitt |
| II | | | (CV) | | |
| 557 | | | Stipulated | | |
| 337 | Michael Cohen Medical | | (S&A) | | |
| | Notes for 8/12/2020 | | Stipulated | (CIV) ED | |
| | | (CV) Disputed | (CV) Disputed | (CV) ER 901, 902 | |
| 558 | | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER | |
| | 3m 2020 balance sheet | Disputed | Disputed | 901, 902 | |
| | 3m 2020 balance sheet | Disputed | Disputed | (CV) ER | |
| | | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 559 | 3m 2020 income | (S&A) | (S&A) | (S&A) ER | |
| | statement | Disputed | Disputed | 901, 902 | |
| | | _ | | (CV) ER | |
| 560 | | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 300 | blueberry 2020 balance | (S&A) | (S&A) | (S&A) ER | |
| | sheet (1) | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| 561 | 11 1 2000 | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | blueberry 2020 income | (S&A) | (S&A) | (S&A) ER | |
| | statement | Disputed | Disputed | 901, 902 | |
| | | (CV) Diggrated | (CV) Diameted | (CV) ER 901, 902 | |
| 562 | BR RE 2020 | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER | |
| | BALANCE SHEET | Disputed | Disputed | 901, 902 | |
| | Dillinice officer | Disputed | Disputed | (CV) ER | |
| | | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 563 | BR RE 2020 income | (S&A) | (S&A) | (S&A) ER | |
| | statement | Disputed | Disputed | 901, 902 | |
| | | _ | | (CV) ER | |
| 564 | | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 304 | | (S&A) | (S&A) | (S&A) ER | |
| | HH II balance sheet | Disputed | Disputed | 901, 902 | |
| | | (010 -: | (077) =: | (CV) ER | |
| 565 | | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | (S&A) | (S&A) | (S&A) ER | |
| | HH II Income statement | Disputed | Disputed | 901, 902 | |
| | | (CV) Disputed | (CV) Diameted | (CV) ER | |
| 566 | | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| | KT 2020 balance sheet | Disputed | Disputed | 901, 902 | |
| | 1x1 2020 balance sheet | Disputed | Disputed | 701, 702 | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|--------------------------------------|---|---|---------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitte |
| 567 | KT 2020 income statement | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 568 | mc ruston balance sheet | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 569 | MJ RE balance sheet | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 570 | MJ RE income statement | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 571 | DELTA DAWN DEVELOPING LLC 08282020 | | (CV) Stipulated (S&A) Stipulated | , | |
| 572 | KT & MC DEVELOPING, LLC - Amended and Restated OpAgree | | (CV) Stipulated (S&A) Stipulated | | |
| 573 | M&J REAL ESTATE INVESTMENT LLC Amended & Restated Operating Agreement | | (CV) Stipulated (S&A) Stipulated | | |
| 574 | MC REAL ESTATE CONSULTANTS LLC Amended & Restated Operating Agreement | | (CV) Stipulated (S&A) Stipulated | | |
| 575 | NPV, LLC Operating Agreement | | (CV) Stipulated (S&A) Stipulated | | |
| 576 | CM-Balance Sheet- 08.2020 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|---|---|--|-------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admit |
| 577 | CM-Income Statement- 08.2020 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 578 | DDawn 2020 balance sheet 220 (1) | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 579 | DDawn 2020 income statement | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 580 | MCCI-Balance Sheet- 08.2020 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 581 | MCCI-Income Statement-2020 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 582 | MCRE - Balance Sheet- 08.2020 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 583 | MCRE-Income Statement-2020 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 584 | M&J Real Estate Investment 2019 Tax Return Form 1065 | | (CV) Stipulated (S&A) Stipulated | | |
| 585 | Order Granting Plaintiff's Motion for Preliminary Injunction, filed in PCSC No. 20-2- 05913-2 | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 611 (S&A) ER 402, 403, 611 | |
| 586 | First Amended Agreement for Transfer of Remaining Interests in Limited Liability | | (CV) Stipulated (S&A) Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|---------------|---|---|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Company, Emails, draft agreements. | | | | |
| 587 | Email from Mike Cohen to Julie McBride re Settlement pay off and life insruance, dated | (CV) Disputed | (CV) Disputed (S&A) | (CV) ER 901 (S&A) ER 402, ER 403, ER 408, ER | |
| 588 | Statutory Warranty Deed, dated 10/14/2020 | Disputed | Disputed (CV) Stipulated (S&A) Stipulated | 901 | |
| 589 | 2019 Tax Return | | (CV) Stipulated (S&A) Stipulated | | |
| 590 | Quit Claim Deed, Amara, dated 10/16/2020 | | (CV) Stipulated (S&A) Stipulated | | |
| 591 | Full Reconveyance, Twinstar, dated 10/30/2020 | | (CV) Stipulated (S&A) Stipulated | | |
| 592 | Redline Compare of Draft to Final First Amended Agreement for Transfer of Remaining Interests in Limited | | (CV) Stipulated (S&A) | | |
| 593 | Liability Company Email from Mike Cohen to Loren Cohen, Susan Cohen re: I am sharing '1st Amended 49 9% Transfer Agreement(3)' with you | | (CV) Stipulated (S&A) | | |
| 594 | Email from Mike Cohen to Susan Cohen re: I am sharing '1st Amended 49 9% Transfer Agreement(3)' with you | | (CV) Stipulated (S&A) Stipulated | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----------|-------|--|-------------------|--------------------------------------|----------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 4 | 595 | Full Reconveyance, O Bee Credit Union, dated 11/5/2020 | | (S&A) Stipulated | | |
| 5 | 596 | | (CV) Disputed | (CV) Disputed | (CV) ER 901, 902 | |
| 6 | | Photos of Mike Cohen | (S&A) Disputed | (S&A) Disputed | (S&A) ER 901, 902 | |
| 7 8 | | | | (CV) Stipulated , provided all | | |
| 9 | | | | pages from this | | |
| 10 | | | | included and admitted | | |
| 11 | 597 | | | (S&A) Stipulated, | | |
| 12 | | | | provided all pages from this | | |
| 13 14 | | H&P & Consult Notes | | visit are included and | | |
| 15 | | by Joseph F. Ferry Order Admitting Will to | | admitted | | |
| 16 | | Probate, Appointing Personal Representative, | | | | |
| 17 | | Waiving Bond, Appointing Probate | | | | |
| 18 | | Guardian Ad Litem for Minors, Authorizing | | | | |
| 19 | 598 | Discovery, and Authorizing | | | | |
| 20 21 | | Continuance of Any Ongoing Business of | | | | |
| 21 | | Decedent, filed in Pierce County Superior Court | | (CV) Stipulated | | |
| 23 | | Case No. 21-4-00122-9, dated 1/15/2021 | | (S&A) Stipulated | | |
| 24 | | JP Morgan Statement for | | (CV) Stipulated | | |
| 25 | 599 | Acct Ending 6455 showing \$5,000 transfer | | (S&A) Stipulated | | |
| 26 | | showing \$5,000 transfer | | Supulated | <u> </u> | <u> </u> |

| 1 | | DEFENDANT'S | | | | |
|-------------|-----|---|---------------|---|---|----------|
| 2 | Ex. | EXHIBITS Description | Authenticity | Admissibility | Objection | Admitted |
| | # | | | (OII) | | |
| 3 4 5 | 600 | Affidavit of Publication - Ken Spurrell, filed in PCSC No. 21-4-00122-9 | | (CV) Stipulated (S&A) Stipulated | | |
| 6 7 8 | 601 | PROJECT VILLA 4 INTERIOR PAINTING | (CV) Disputed | (CV) Disputed (S&A) | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, | |
| 0 | | v2 | Disputed | Disputed | 901, 902 | |
| 9 | | | | (CV) Stipulated provided | | |
| 11 | | | | additional pleadings from | | |
| 12 | | | | this action are | | |
| | 602 | | | admitted | | |
| 13 | | | | (S&A) Stipulated | | |
| 14 | | | | provided | | |
| 15 | | Settlement Agreement between Cohen Parties, | | additional pleadings from | | |
| 16 | | Point Ruston Parties, and Thomsen Parties | | this action are | | |
| 17 | | | | (CV) | | |
| 18 | | | | Stipulated provided | | |
| 19 | | | | additional pleadings from | | |
| 20 | | Unopposed Motion for | | this action are admitted | | |
| 21 | 603 | Determination that | | (S&A) | | |
| 22 | | Stipulated Judgment is Fair and Reasonable, | | Stipulated provided | | |
| | | filed in Pierce County | | additional | | |
| 23 | | Superior Court No 20-2- | | pleadings from | | |
| 24 | | 05437-8, dated 5/25/2021 | | this action are admitted | | |
| 25 | | | | | | |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|--------------|-----------------------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | π | | | (CV) | | |
| 4 | | | | Stipulated provided | | |
| 5 | | | | additional pleadings from | | |
| 6 | | Personal Representative's Notice | | this action are | | |
| 7 | 604 | of Reasonable Hearing | | (S&A) | | |
| 8 | | to Approve Settlement in Thomsen Litigation, | | Stipulated provided | | |
| 9 | | filed in Pierce County Superior Court Case No. | | additional pleadings from | | |
| 10 | | 21-4-00122-9, dated 5/26/2021 | | this action are admitted | | |
| 11 | | 3/20/2021 | | (CV) | | |
| 12 | | | | Stipulated provided | | |
| 13 | | | | additional | | |
| | | | | pleadings from this action are | | |
| 14 | 605 | | | admitted | | |
| 15 | 605 | | | (S&A) | | |
| 16 | | | | Stipulated provided | | |
| 17 | | Corrected PR's Notice of | | additional | | |
| 18 | | Motion to Approve Reasonableness, filed in | | pleadings from this action are | | |
| 19 | | PCSC No. 21-4-00122-9 | | admitted | | |
| 20 | | | | (CV) Stipulated | | |
| 21 | | | | provided additional | | |
| 22 | | Pierce County Filing | | pleadings from | | |
| 23 | 606 | (20-2-05437-8) ORDER and Findings of Fact and | | this action are admitted | | |
| | | Conclusions of Law on | | (S&A) | | |
| 24 | | Motion for Determination that | | Stipulated provided | | |
| 25 | | Stipulated Judgment is | | additional | | |
| 26 | | Fair and Reasonable | | pleadings from | | |

| | DEFENDANT'S EXHIBITS | | | | |
|-----|---|-------------------------|-------------------------|-----------------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | this action are | | |
| | | | admitted | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | (CV) ER | |
| | | | | 901, 902 DMS | |
| 607 | Email from Loren Cohen | (OT) D: 1 | (077) 72 | (S&A) ER | |
| | to Susan Cohen, Kyle Johnson, Stu Morgan re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 801, ER 802, ER 901, 902 | |
| | Mexico Accounts Email from Loren Cohen | Disputed | Disputed | DMS | |
| 608 | to Kyle Johnson, Susan | (CV) Disputed | (CV) Disputed | (CV) ER 901, 902 | |
| 000 | Cohen, Stu Morgan re Conflicts Waiver letter | (S&A) Disputed | (S&A) Disputed | (S&A) ER 901, 902 | |
| | | | (CV) | | |
| 609 | M&J Real Estate Investment 2020 Tax | | Stipulated (S&A) | | |
| | Return Form 1065 IRS Form 1040 US | | Stipulated (CV) | | |
| 610 | Individual Tax Return | | Stipulated | | |
| | for Michael Cohen for 2020, dated 10/15/2021 | | (S&A) Stipulated | | |
| | Eamil from Loren Cohen | | - | (CV) DMS, ER 901, 902 | |
| 611 | to Susan Cohen, Kyle | (CV) Disputed | (CV) Disputed | (S&A) | |
| | Johnson re: CWS Ruston | (S&A) Stipulated | (S&A) Disputed | DMS, ER 901, 902 | |
| | | (CV) | | | |
| 612 | Accounting of \$1,100,000 Promissory | Stipulated (S&A) | (CV) Disputed (S&A) | (CV) DMS, ER 901, 902 | |
| | Note | Stipulated | Disputed | (S&A) | |

| | DEFENDANT'S EXHIBITS | | | | |
|--------------|---|---------------|-----------------------|-----------------------------|-----|
| Ex. | Description | Authenticity | Admissibility | Objection | Adm |
| # | | | | DMS, ER | |
| | | | | 901, 902 | |
| | | | | 501, 502 | |
| | | | | (CV) DMS, | |
| <i>-</i> 1.0 | | (OTT) D' II | (CTD D: 1 | ER 901, 902 | |
| 613 | Accounting of | (CV) Disputed | (CV) Disputed | (S&A) | |
| | \$15,000,000 Promissory | (S&A) | (S&A) | DMS, ER | |
| | Note | Stipulated | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| C1.4 | | (CV) Dit1 | (CV) Diameter 1 | 901, 902 | |
| 614 | Email from Sugar Cal- | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Email from Susan Cohen to Loren Cohen re: CWS | (S&A) | (S&A) | 402, ER 403, ER 901, 902 | |
| | Email from Loren Cohen | Disputed | Disputed | EK 901, 902 | |
| | to Kyle Johnson, Susan | | | | |
| 615 | Cohen re: CWS Capital | | | (CV) DMS, | |
| | Partners: New | | | ER 901, 902 | |
| | Documents Available - | (CV) Disputed | (CV) Disputed | (S&A) | |
| | Your Quarterly Property | (CV) Disputed | (CV) Disputed | DMS, ER | |
| | Reports | Stipulated | Disputed | 901, 902 | |
| | Order Removing Loren | | _ | | |
| | Cohen as Personal | | | | |
| (1) | Representative, filed in | | (CV) | | |
| 616 | Pierce County Superior | | Stipulated | | |
| | Court No. 21-4-00122-9 | | (S&A) | | |
| | on 12/17/2021 | | Stipulated | | |
| | Sheriffs Return on Writ | | | | |
| | of Execution Real | | | | |
| 617 | Property, filed in Pierce | | (CV) | | |
| 01, | County Superior Court | | Stipulated | | |
| | Case No. 14-2-05136-6 | | (S&A) | | |
| | on 1/20/2022 | | Stipulated | | |
| | Pierce County Filing | | (CV) | | |
| 618 | (21-4-00122-9) Order | | Stipulated | | |
| | Appointing Successor | | (S&A) | | |
| | Personal Representative | | Stipulated | | |
| | Craditaria Claim her | | (CV) | | |
| 619 | Creditor's Claim by DLA Piper LLP, filed in | | Stipulated (S&A) | | |
| | PCSC No. 21-4-00122-9 | | Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|---|---|--|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 620 | 2020 Tax Return and Form K-1 | | (CV) Stipulated (S&A) Stipulated | | |
| 621 | Loren Cohen's Individual Response to Report of Sucessor PR and Petition for Instructions, filed in Pierce County Superior Case No. 21-4-00122-9, dated 5/24/2022 | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) Rooker- Feldman Doctrine; Full Faith and Credit Clause, DMS (S&A) Rooker- Feldman Doctrine; Full Faith and Credit Clause, DMS | |
| 622 | Declaration of Loren Cohen in support of Response to Report of Sucessor PR and Petition for Instructions, filed in Pierce County Superior Case No. 21-4- 00122-9, dated 5/24/2022 | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) Rooker- Feldman Doctrine; Full Faith and Credit Clause, DMS (S&A) Rooker- Feldman Doctrine; Full Faith and Credit Clause, DMS | |

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| 1 | | DEFENDANT'S | | | | |
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| | Ex. | EXHIBITS Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | # | Description | Authenticity | Admissionity | Objection | Admitted |
| 3 | | | | | (CV) | |
| 4 | | | | | Rooker- | |
| 4 | | | | | Feldman Doctrine; | |
| 5 | | | | | Full Faith | |
| 6 | | | | | and Credit | |
| | | | | | Clause, | |
| 7 | 623 | | | | DMS | |
| 8 | | PC Collections' | | | (S&A) Rooker- | |
| 9 | | Response to Report of | | | Feldman | |
| 9 | | SPR and Petition for | | | Doctrine; | |
| 10 | | Instructions, filed in | (CV) | (CIV D: 1.1 | Full Faith | |
| 11 | | Pierce County Superior Case No. 21-4-00122-9, | Stipulated (S&A) | (CV) Disputed | and Credit Clause, | |
| | | dated 5/24/2022 | Stipulated | Disputed | DMS | |
| 12 | | | | (CV) | | |
| 13 | 624 | Receipt for Payment of | | Stipulated | | |
| 14 | | SPR's Costs, filed in PCSC No. 21-4-00122-9 | | (S&A) Stipulated | | |
| 14 | | 1 050 1(0. 21 4 00122) | | (CV) | | |
| 15 | 625 | Receipt for Payment of | | Stipulated | | |
| 16 | 023 | SPR's Fees, filed in | | (S&A) | | |
| | | PCSC No. 21-4-00122-9 | | Stipulated (CV) | | |
| 17 | 626 | Receipt for Payment of | | Stipulated | | |
| 18 | 020 | Attorney Fees, filed in | | (S&A) | | |
| 19 | | PCSC No. 21-4-00122-9 | | Stipulated | | |
| | | Order Granting Motion 25 to Confirm Sheriffs | | | | |
| 20 | | Foreclosure Sale of Real | | | | |
| 21 | 627 | Property, entered in | | (CV) | | |
| 22 | | Pierce County Superior Court 26 Case No. 14-2- | | Stipulated | | |
| 22 | | 05136-6 on 7/29/2022 | | (S&A) Stipulated | | |
| 23 | | 00100 0 0H 112712022 | | Supulated | <u>I</u> | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|-----------------------|------------------------|------------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Certified Mail Receipt and delivery | | | | |
| 4 | | confirmation showing | | | | |
| 5 | | delivery on the second | | | | |
| 6 | | attempt of Note for Motion Docket, Motion | | | | |
| | | to Confirm Sheriffs | | | | |
| 7 | | Foreclosure Sale of Real Property and the | | | | |
| 8 | 628 | Proposed Order | | | | |
| 9 | | Granting Motion to Confirm Sheriffs Fore | | | | |
| 10 | | closure Sale of Real | | | | |
| 11 | | Property in Pierce County Superior Court | | | | |
| 12 | | Case No. 14-2-05136-6 | (077) | | (CV) ER | |
| | | on August 2, 2022 to Carol Vaughn, | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| 13 | | Successor Personal | (S&A) | (S&A) | ER 402, 403, | |
| 4 | | Representative | Stipulated | Disputed | 611 (CV) ER | |
| 15 | | | | | 701, 702; | |
| 16 | | | | | Pending MIL (S&A) | |
| 17 | 629 | | (CV) | | ER 801, ER | |
| 18 | | Dkt No. 147 Declaration of Ronald Bone | Stipulated (S&A) | (CV) Disputed (S&A) | 801, ER 701, 702; Pending | |
| | | executed 9/9/2022 | Stipulated | Disputed | MIL | |
| 19 | | | | | (CV) ER 701, 702; | |
| 20 | | | | | Pending | |
| 21 | 630 | | (CV) | | MIL (S&A) | |
| 22 | | Dkt 148 Declaration of | (CV) Stipulated | (CV) Disputed | ER 801, ER 802, ER 701, | |
| 23 | | Timothy Batanian | (S&A) | (S&A) | 702; Pending | |
| | | executed 9/13/2022 | Stipulated | Disputed | MIL | |
| 24 | | | | | | |

THOMPSON HOWLE VAUGHN 1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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|-------------|-----|--|---------------------|---------------------|-------------------------|----------|
| Ш | | DEFENDANT'S EXHIBITS | | | | |
| ╟ | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | # | 2 cocription | | | o o jection | |
| | | | | | (CV) | |
| | | | | | Rooker- | |
| | | | | | Feldman | |
| | | | | | Doctrine; Full Faith | |
| | | | | | and Credit | |
| | | | | | Clause | |
| | 631 | | | | (S&A) | |
| | | | | | Rooker- | |
| | | Declaration of Curtis | | | Feldman | |
| | | Stebbins, filed in Pierce | (CV) | | Doctrine; | |
| | | County Superior Case | Stipulated | (CV) Disputed | Full Faith | |
| | | No. 21-4-00122-9, dated | (S&A) | (S&A) | and Credit | |
| \parallel | | 9/14/2022 | Stipulated | Disputed | Clause | |
| | | T 110 W 1 4 | (CV) | (CIV) D: 4 1 | (CV) ER | |
| | 632 | Email from Vaughn to | Stipulated | (CV) Disputed | 402, 403 | |
| | | counsel attaching Johnson Subpoena. | (S&A) Stipulated | (S&A) Disputed | (S&A) ER 402, 403 | |
| ╟ | | Joinison Suopoena. | Supulated | Disputed | (CV) | |
| | | | | | Rooker- | |
| | | | | | Feldman | |
| | | | | | Doctrine; | |
| | | | | | Full Faith | |
| | | | | | and Credit | |
| | | | | | Clause, | |
| | 633 | | | | DMS | |
| | | | | | (S&A) Rooker- | |
| | | | | | Feldman | |
| | | Verified Estate | | | Doctrine; | |
| | | Accounting By Personal | (CV) | | Full Faith | |
| | | Representative Loren | Stipulated | (CV) Disputed | and Credit | |
| | | Cohen, filed in PCSC | (S&A) | (S&A) | Clause, | |
| | | No. 21-4-00122-9 | Stipulated | Disputed | DMS | |
| | | - 1 · · · · · · · · · · · · · · · · · · | (CV) | (arn = : | | |
| | 634 | Declaration of Due | Stipulated | (CV) Disputed | (CV) DMC | |
| | | Diligence by Loren Cohen (21-4-00122-9) | (S&A) Stipulated | (S&A) | (CV) DMS (S&A) DMS | |
| ۱L | | Collell (21-4-00122-9) | Supulated | Disputed | (S&A) DMS | |

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THOMPSON HOWLE VAUGHN

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| ,, | | | | (CV) | |
| | | | | Rooker- Feldman | |
| | | | | Doctrine; Full Faith | |
| | | | | and Credit | |
| 635 | | | | DMS | |
| 033 | | | | (S&A) Rooker- | |
| | | | | Feldman | |
| | Verified Estate | (CV) | (077) 72: 1 | Full Faith | |
| | Cohen, filed in PCSC | Stipulated (S&A) | (CV) Disputed (S&A) | and Credit Clause, | |
| | No. 21-4-00122-9 | Stipulated | Disputed (CV) | DMS | |
| 636 | Creditor's Claim by | | Stipulated | | |
| | PCSC No. 21-4-00122-9 | | (S&A) Stipulated | | |
| | Declaration of Carol Vaugn as SPR re Lack | | | | |
| 637 | of Reliability of | | (CV) | | |
| 037 | 2020-1040 Return, filed | | Stipulated | | |
| | in PCSC No. 21-4- 00122-9 | | (S&A) Stipulated | | |
| | | | | (CV) Rooker- | |
| | | | | Feldman | |
| | | | | Full Faith | |
| (20 | | | | | |
| 638 | | | | (S&A) | |
| | SPR's Petition to | (CIT) | | Feldman | |
| | Abandon Title to Vehicles and Forego | (CV) Stipulated | (CV) Disputed | Doctrine; Full Faith | |
| | Marshalling, filed in PCSC No. 21-4-00122-9 | (S&A) Stipulated | (S&A) Disputed | and Credit Clause | |
| | 635 | EX. Description Verified Estate Accounting by PR Loren Cohen, filed in PCSC No. 21-4-00122-9 Notice of Withdrawal of Creditor's Claim by DLA Piper, filed in PCSC No. 21-4-00122-9 Declaration of Carol Vaugn as SPR re Lack of Reliability of Valuation Reported on 2020-1040 Return, filed in PCSC No. 21-4- 00122-9 638 SPR's Petition to Abandon Title to Vehicles and Forego | EX. Description Authenticity Verified Estate Accounting by PR Loren Cohen, filed in PCSC No. 21-4-00122-9 Notice of Withdrawal of Creditor's Claim by DLA Piper, filed in PCSC No. 21-4-00122-9 Declaration of Carol Vaugn as SPR re Lack of Reliability of Valuation Reported on 2020-1040 Return, filed in PCSC No. 21-4- 00122-9 SPR's Petition to Abandon Title to Vehicles and Forego Marshalling, filed in (CV) Stipulated (CV) Stipulated (CV) Stipulated (CV) Stipulated (CV) Stipulated (S&A) | EXHIBITS Ex. Description Verified Estate Accounting by PR Loren Cohen, filed in PCSC No. 21-4-00122-9 Notice of Withdrawal of Creditor's Claim by DLA Piper, filed in PCSC No. 21-4-00122-9 Declaration of Carol Vaugn as SPR re Lack of Reliability of Valuation Reported on 2020-1040 Return, filed in PCSC No. 21-4- 00122-9 SPR's Petition to Abandon Title to Vehicles and Forego Marshalling, filed in (CV) Stipulated (CV) Stipulated (S&A) Stipulated (CV) Stipulated (S&A) Stipulated (CV) Stipulated (CV) Stipulated (CV) Stipulated (CV) Stipulated (CV) Stipulated (S&A) Stipulated | Ex. Description Authenticity Admissibility Objection CCV Rooker-Feldman Doctrine; Full Faith and Credit Clause, DMS |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-----|-----|---|-----------------------|-------------------------|---------------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | SPR's Notice of Sale of | | (CV) | | |
| 4 | 639 | Claim, filed in PCSC | | Stipulated (S&A) | | |
| 5 | | No. 21-4-00122-9 | | Stipulated | (CV) | |
| 6 | | | | | Rooker- Feldman | |
| 7 8 | | | | | Doctrine; Full Faith | |
| 9 | 640 | | | | and Credit Clause (S&A) | |
| 10 | | GAL's Response to Petition to Abandon | | | Rooker- Feldman | |
| 11 | | Title to Vehicles and | (CV) | | Doctrine; | |
| 12 | | Forego Marshalling, filed in PCSC No. 21-4- | Stipulated (S&A) | (CV) Disputed (S&A) | Full Faith and Credit | |
| 13 | | 00122-9 | Stipulated | Disputed | Clause (CV) | |
| 14 | | | | | Rooker- Feldman | |
| 15 | | | | | Doctrine; | |
| 16 | | | | | Full Faith and Credit | |
| 17 | 641 | | | | Clause (S&A) | |
| 18 | | Status Report and Request to Continue | | | Rooker- Feldman | |
| 19 | | Motions, filed in Pierce | (CV) | (CV) Disputed | Doctrine; Full Faith | |
| 20 | | County Superior Case No. 21-4-00122-9, dated | Stipulated (S&A) | (CV) Disputed | and Credit | |
| 21 | | 3/30/2023 | Stipulated | Disputed | Clause (CV) | |
| 22 | | Email from Adrienne | | | Rooker- Feldman | |
| 23 | | McEntee to Russell | | | Doctrine; | |
| 24 | 642 | Knight re Mediation of payment of the | (CV) | | Full Faith and Credit | |
| 25 | | Newcomer judgment - March 29, dated | Stipulated (S&A) | (CV) Disputed (S&A) | Clause (S&A) | |
| 26 | | 3/30/2023 | Stipulated | Disputed | Rooker- | |

| | DEFENDANT'S EXHIBITS | | | | |
|-----|---|-----------------------|--------------------------|--------------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | Feldman Doctrine; | |
| | | | | Full Faith | |
| | | | | and Credit Clause | |
| | | | | | |
| | | | | (CV) Rooker- | |
| | | | | Feldman Doctrine; | |
| | | | | Full Faith and Credit | |
| 643 | | | | Clause | |
| | Opposition to Request to | | | (S&A) Rooker- | |
| | Continue Motions, filed in Pierce County | (CV) | | Feldman Doctrine; | |
| | Superior Case No. 21-4- 00122-9, dated | Stipulated (S&A) | (CV) Disputed (S&A) | Full Faith and Credit | |
| | 3/30/2023 Transcript of | Stipulated | Disputed | Clause | |
| | Proceedings in Pierce | | (CV) | | |
| 644 | No. 21-4-00122-9 re | | Stipulated | | |
| | Motions, dated 3/31/2023 | | (S&A) Stipulated | | |
| | | | | (CV) Rooker- | |
| | | | | Feldman Doctrine; | |
| | | | | Full Faith | |
| 645 | | | | and Credit Clause | |
| | Opposition to Request to | | | (S&A) Rooker- | |
| | Continue Motions, filed in Pierce County | (CV) | | Feldman Doctrine; | |
| | Superior Case No. 21-4- 00122-9, dated | Stipulated (S&A) | (CV) Disputed (S&A) | Full Faith and Credit | |
| | 3/31/2023 | Stipulated | Disputed | Clause | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-----|--|-----------------------|-------------------------|-----------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | ORDER Denying | | | | |
| 4 | | Motion to Sell Cause of Action Granting PR | | | | |
| 5 | | Authority to File Chapter 19.40 RCW | | | | |
| 6 | 646 | Claim, and Ordering Briefing on Whether | | | | |
| 7 | | Authority Should be | | | | |
| 8 | | Granted to File Additional Claims, filed | | (CV) Stipulated | | |
| 9 | | in PCSC No. 21-4- 00122-9 | | (S&A) Stipulated | | |
| 10 | | | | • | (CV) Rooker- | |
| 11 | | | | | Feldman | |
| 12 | | | | | Doctrine; Full Faith | |
| 13 | | | | | and Credit | |
| 14 | 647 | | | | Clause (S&A) | |
| 15 | | Email from Bruce Moen | | | Rooker- Feldman | |
| 16 | | to Adrienne McEntee, | (CV) | | Doctrine; | |
| 17 | | Cory Johnson, Carol Vaughn re: Chen Estate | Stipulated (S&A) | (CV) Disputed (S&A) | Full Faith and Credit | |
| | | reasoning | Stipulated | Disputed | Clause | |
| 18 | | Order for the Appointment of a | | | | |
| 19 | | General Receiver, | | | (CV) ED | |
| 20 | 648 | regarding Point Ruston Building 7, LLC, entered | (CV) | | (CV) ER 402, 403, | |
| 21 | | in Pierce County Case Number 23-2-05928-5 | Stipulated (S&A) | (CV) Disputed (S&A) | 611 (S&A) ER 402, 403, | |
| 22 | | on 5/9/2023 | Stipulated | Disputed | 611 | |
| 23 | | Order for the Appointment of a | | | (CV) ER | |
| 24 | 649 | General Receiver, | (CV) | (CV) D: | 402, 403, | |
| 25 | | regarding PR Main Street Retail, LLC, | Stipulated (S&A) | (CV) Disputed (S&A) | 611 (S&A) ER 402, 403, | |
| 26 | | entered in Pierce County | Stipulated | Disputed | 611 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-------|-------|---|-----------------------|-----------------------|--------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Case Number 23-2- 05937-4 on 5/9/2023 | | | | |
| 5 | | | | | | |
| 6 | | Order for the Appointment of a | | | | |
| 7 | | General Receiver, regarding Point Ruston | | | (CV) ER | |
| 8 | 650 | Phase IV, LLC, entered in Pierce County Case | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| 9 | | Number 23-2-05932-3 on 5/9/2023 | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, 611 | |
| 10 | | Order for the Appointment of a | | | | |
| 11 | | General Receiver, regarding Point Ruston | | | (CV) ER | |
| 12 | 651 | Phase IV-15, LLC, entered in Pierce County | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| 14 | | Case Number 23-2- 05934-0 on 5/9/2023 | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, 611 | |
| 15 | | Order for the Appointment of a | Supulated | Disputed | | |
| 16 | | General Receiver, regarding Point Ruston | | | (CV) ER | |
| 17 | 652 | Phase IV-16, LLC, entered in Pierce County | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| 18 | | Case Number 23-2- 05935-8 on 5/9/2023 | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, 611 | |
| 19 | | 00700 0 0H 3/7/2023 | Sapulated | Disputed | (CV) ER | |
| 20 | 653 | Witten Company | (CIV) D | (CIA) D. 1 | 402, 403, 901, 902 | |
| 21 22 | | Written Consent of NPV, LLC - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 23 | | POA_executed | Disputed | Disputed | 901, 902 | |

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| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| # | | | | (CV) | |
| | | | | Rooker- | |
| | | | | Feldman Doctrine; | |
| | | | | Full Faith | |
| | | | | and Credit | |
| | | | | Clause; ER 402, 403, ER | |
| 654 | | | | 408 (S&A) | |
| | | | | Rooker- Feldman | |
| | | | | Doctrine; | |
| | T # 6 G | (CII) | | Full Faith | |
| | Letter from Cory Johnson to Bruce Moen, | (CV) Stipulated | (CV) Disputed | and Credit Clause; ER | |
| | Carol Vaughn re Estate | (S&A) | (S&A) | 402, 403, ER | |
| | of Michael Cohen | Stipulated | Disputed | 408 | |
| 655 | A&R Operating | | (CV) Stipulated | | |
| 655 | Agreement for Palm | | (S&A) | | |
| | Villa Investments a Palm Villa | | Stipulated | | |
| | Investments - Purchase | | (CV) | | |
| 656 | & Sale - Buyer executed | | Stipulated | | |
| | 05112016 [complete package] | | (S&A) Stipulated | | |
| | | | (CV) | | |
| 657 | Apostille A&R Operating Agreement - | | Stipulated (S&A) | | |
| | Palm Villa Investments | | Stipulated | | |
| | | | (CV) | | |
| 658 | Apostille POA - Palm | | Stipulated (S&A) | | |
| | Villa Investments | | Stipulated | | |
| | | | (CV) Stipulated | | |
| 659 | POA - Palm Villa | | (S&A) | | |
| | Investments 051623 | | Stipulated | | |
| 660 | Apostille Articles of | | (CV) | | |
| | Organization - Palm | <u> </u> | Stipulated | | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | # | • | J | J | 3 | |
| 3 | | Villa Investments | | (S&A) | | |
| 4 | | (5.17.23) | | Stipulated | | |
| | | Apostille Certificate of Good Standing - Palm | | (CV) Stipulated | | |
| 5 | 661 | Villa Investment | | (S&A) | | |
| 6 | | (5.17.23) | | Stipulated | | |
| 7 | | | | | (CV) ER 611, 901, | |
| 8 | | | | | 902; | |
| | | | | | Document must be | |
| 9 | | | | | translated | |
| 10 | | | | | then | |
| 11 | 662 | | | | authenticated | |
| | | | | | (S&A) ER 611, 901, | |
| 12 | | | | | 902; | |
| 13 | | | | | Document | |
| 14 | | | (CV) Disputed | (CV) Disputed | must be translated | |
| 14 | | BANORTE | (CV) Disputed (S&A) | (CV) Disputed (S&A) | then | |
| 15 | | INSTRUCTION | Disputed | Disputed | authenticated | |
| 16 | | | | | (CV) ER | |
| 1.7 | | | | | 611, 901, 902; | |
| 17 | | | | | Document | |
| 18 | | | | | must be | |
| 19 | | | | | translated | |
| | | | | | then authenticated | |
| 20 | 663 | | | | (S&A) ER | |
| 21 | | | | | 611, 901, | |
| 22 | | | | | 902; | |
| | | | | | Document must be | |
| 23 | | | (CV) Disputed | (CV) Disputed | translated | |
| 24 | | PAGO PREDIAL 22 | (S&A) | (S&A) | then | |
| 25 | | MAYO | Disputed | Disputed | authenticated | |
| 25 | | | | | | |

THOMPSON HOWLE VAUGHN

| | | DEFENDANT'S EXHIBITS | | | | |
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| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| L | | | | | 611, 901, 902; | |
| 5 | | | | | Document must be | |
| 5 | | | | | translated | |
| , | 664 | | | | then authenticated | |
| $\ $ | | | | | (S&A) ER 611, 901, | |
| $\ $ | | | | | 902; Document | |
|) | | | (CV) Disputed | (CV) Disputed | must be translated | |
| 1 | | | (S&A) | (S&A) | then | |
| 2 | | Pago 690020241 4143-5104-2888 v 1, | Disputed | Disputed | authenticated (CV) ER | |
| 3 | 665 | PVE - Loren Cohen's instruction to JHNH - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| 4 | | LMC exec | Disputed | Disputed | 901, 902 | |
| 5 | | Order Denying Point Ruston Phase IV's Mot | | | (CV) ER | |
| 5 | 666 | for Revision and Order Appointing Receiver, | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| , | | filed in PCSC No. 23-2- 05932-3 | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, 611 | |
| 3 | | Order Denying Point | Supulated | Disputed | | |
| 9 | 667 | Ruston Phase IV-16's Motion for Revision and | (CV) | | (CV) Duplicate of | |
| | 007 | Order Appointing Receiver, filed in PCSC | Stipulated (S&A) | (CV) Disputed (S&A) | 318 (S&A) Duplicate of | |
| ι | | No. 23-2-05932-8 Order re Point Ruston | Stipulated | Disputed | 318 | |
| 2 | | Building 7's Motion for | (CII) | | (CV) ER | |
| 3 | 668 | Revision and Order Appointing Receiver, | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| 4 | | filed in PCSC No. 23-2- 05928-5 | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, 611 | |
| 5 | 660 | Order Denying Point | • | (CV) Disputed | (CV) ER | |
| 5 | 669 | Ruston Main Street's Motion for Revision and | (CV) Stipulated | (S&A) Disputed | 402, 403, 611 (S&A) | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Order Appointing Receiver, filed in PCSC No. 23-2-05937-4 | (S&A) Stipulated | | ER 402, 403, 611 | |
| 670 | Order Denying Point Ruston Phase IV-15's Motion for Revision and Order Appointing Receiver | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 611 (S&A) ER 402, 403, 611 | |
| 671 | First Amendment to the Long-term Employee Compensation & Bonus | Supulated | (CV) Stipulated (S&A) | | |
| 672 | Agreement Letter from the IRS to Carol Vaughn re: 2014 Form 709, dated | | Stipulated (CV) Stipulated (S&A) | | |
| 673 | 9/25/2023 Letter from the IRS to Carol Vaughn re: 2015 Form 709, dated 9/25/2023 | | Stipulated (CV) Stipulated (S&A) Stipulated | | |
| 674 | Letter from the IRS to Carol Vaughn re: 2016 Form 709, dated 9/25/2023 | | (CV) Stipulated (S&A) Stipulated | | |
| 675 | Letter from the IRS to Carol Vaughn re: 2018 Form 709, dated 9/25/2023 | | (CV) Stipulated (S&A) Stipulated | | |
| 676 | Letter from the IRS to Carol Vaughn re: 2019 Form 709, dated 9/25/2023 | | (CV) Stipulated (S&A) Stipulated | | |
| 677 | Letter from the IRS to Carol Vaughn re: 2020 Form 709, dated 9/25/2023 | | (CV) Stipulated (S&A) | | |
| | 9/23/2023 | <u> </u> | Stipulated | | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|-----------------------|-------------------------|-----------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) Rooker- | |
| 4 | | | | | Feldman Doctrine; | |
| 5 | | | | | Full Faith | |
| 6 | | Plaintiff's Motion to | | | and Credit Clause | |
| 7 | 678 | Sever Cross and Counter | | | (S&A) | |
| 8 | | Claims for Breach of Fiduciary Duty and to | | | Rooker- Feldman | |
| 9 | | Consolidate with | (CV) | (CT) D: 1 | Doctrine; | |
| 10 | | Probate Administration, filed in PCSC No 23-2- | Stipulated (S&A) | (CV) Disputed (S&A) | Full Faith and Credit | |
| | | 07988-0 | Stipulated | Disputed | Clause | |
| 11 | | Letter from Carol | | (CV) | | |
| 12 | 679 | Vaughn to Caleb Hayashi re: Michael A. | | Stipulated (S&A) | | |
| 13 | | Cohen Estate | | Stipulated | | |
| 14 | | Order for the Appointment of a | | | | |
| 15 | | General Receiver, regarding Century | | | | |
| 16 | | Condominiums, LLC, | | | | |
| | | Point Ruston Phase II, LLC, Point Ruston | | | | |
| 17 | | Theatre, LLC, PR | | | | |
| 18 | 680 | Building 11/9, LLC, PR Retail, LLC, The Shops | | | | |
| 19 | | at Point Ruston I, LLC, | | | | |
| 20 | | and Point Ruston General Construction, | | | (CV) ER | |
| 21 | | LLC, entered in Pierce | (CV) | (CI) D: 1 | 402, 403, | |
| 22 | | County Case Number 23-2-11603-3 on | Stipulated (S&A) | (CV) Disputed (S&A) | 611 (S&A) ER 402, 403, | |
| 23 | | 12/4/2023 | Stipulated | Disputed | 611 | |

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| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) Rooker- Feldman | |
| | | | | Doctrine; Full Faith | |
| 681 | Plaintiff's Reply in Support of Motion to | | | and Credit Clause | |
| 061 | Sever Cross and Counter Claims for Breach of | | | (S&A) Rooker- | |
| | Fiduciary Duty and to Consolidate With | (CV) | | Feldman Doctrine; | |
| | Probate Administration, filed in PCSC No 23-2- | Stipulated (S&A) | (CV) Disputed (S&A) | Full Faith and Credit | |
| | 07988-0 | Stipulated | Disputed | Clause (CV) | |
| | | | | Rooker- Feldman | |
| | | | | Doctrine; Full Faith | |
| | Loren cohen's Surreply to Plaintiff's Motion to | | | and Credit | |
| 682 | Sever Cross and Counter Claims for Breach of | | | (S&A) Rooker- | |
| | Fiduciary Duty and to | (CV) | | Feldman | |
| | Consodliate with Probate Administration, | (CV) Stipulated | (CV) Disputed | Doctrine; Full Faith | |
| | filed in PCSC No 23-2- 07988-0 | (S&A) Stipulated | (S&A) Disputed | and Credit Clause | |
| | Order Denying Plaintiff's Motion to | | | | |
| | Sever Cross and Counter Claims for Breach of | | | | |
| 683 | Fiduciary Duty and to Consodliate with | | (CV) | | |
| | Probate Administration, filed in PCSC No 23-2- | | Stipulated (S&A) | | |
| | 07988-0 | (CV) | Stipulated | | |
| 684 | Findings of Fact and Conclusions of Law, entered in Pierce County | Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 611 (S&A) | |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|-------|---|---------------------|---------------------|--------------------------|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | Case Number 22-2- | | | ER 402, 403, | |
| | | 10332-4 on 3/29/2024 | | | 611 | |
| | | Order Appointing Custodial Receiver, | | | | |
| | | regarding Point Ruston | | | (CV) ER | |
| | 685 | Owners Association, entered in Pierce County | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| | | Case Number 24-2- | (S&A) | (CV) Disputed | ER 402, 403, | |
| | | 05513-0 on 4/22/2024 | Stipulated | Disputed | 611 | |
| | | Order Appointing | (CV) | | (CV) ER 402, 403, | |
| | 686 | Custodial Receiver, filed | Stipulated | (CV) Disputed | 611 (S&A) | |
| | | in PSCS No. 20-2- | (S&A) | (S&A) | ER 402, 403, | |
| | | 05437-8 | Stipulated | Disputed | 611 (CV) ER | |
| | | PC Collections | (CV) | | 611, 901, | |
| | 687 | Responses to Newcomer's 1st | Stipulated | (CV) Disputed | 902 (S&A) | |
| | | Requests for Admission | (S&A) Stipulated | (S&A) Disputed | ER 611, 901, 902 | |
| | | - | | | (CV) ER | |
| | | PC Collections Objs, Answers and Responses | (CV) | | 611, 901, 902, DMS | |
| | 688 | to Newcomer's 1st | Stipulated | (CV) Disputed | (S&A) ER | |
| | | Interrogatories & | (S&A) | (S&A) | 611, 901, | |
| | | Requests for Production | Stipulated | Disputed | 902, DMS (CV) ER | |
| | | | | | 403, 611, | |
| | 689 | Carol Vaughn's Answers | (CV) Stipulated | (CV) Disputed | 901, 902 (S&A) ER | |
| | | to Loren Cohen's 1st | (S&A) | (CV) Disputed | 403, 611, | |
| | | Requests for Admission | Stipulated | Disputed | 901, 902 | |
| | | Amara Cohen's Answers | | | (CV) ER 901, 902, | |
| | 690 | and Objections to Loren | (CV) | | DMS | |
| | 090 | Cohen's First Requests | Stipulated | (CV) Disputed | (S&A) ER | |
| | | for Admission, dated 5/13/2024 | (S&A) Stipulated | (S&A) Disputed | 901, 902, DMS | |
| | | Susan Cohen's Answers | | (CV) Disputed | (CV) ER | |
| | 691 | and Objections to Loren Cohen's First Requests | (CV) Stipulated | (S&A) Disputed | 611, 901, 902 (S&A) | |
| l | | Cohen's First Requests | Supulated | Disputed | 302 (S&A) | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | for Admission, dated 5/13/2024 | (S&A) Stipulated | | ER 611, 901, 902 | |
| 692 | USA's Objections and Responses to Loren Cohen's 1st Requests for Production | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 901, 902 (S&A) ER 901, 902 | |
| 693 | Carol Vaughn's Objections and Responses to Loren Cohen's 1st | (CV) Stipulated | (CV) Disputed | (CV) ER 704, 901, 902 (S&A) | |
| | Interrogatories & Requests for Production | (S&A) Stipulated | (S&A) Disputed | ER 704, 901, 902 | |
| | Order for the Appointment of a General Receiver, | | | | |
| 694 | regarding Point Ruston Office Building 5, LLC, | (CV) | | (CV) ER 402, 403, | |
| | entered in Pierce County Case Number 24-2- 08038-0 on 6/6/2024 | Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | 611 (S&A) ER 402, 403, 611 | |
| 695 | Amara Cohen's Answers and Objections to Loren Cohen's 1st Interrogatories & | (CV) Stipulated (S&A) | (CV) Disputed | (CV) ER 611, 901, 902 (S&A) ER 611, 901, | |
| 696 | Email from Lee Cohen to Adrienne McEntee re: Lawyer | Stipulated (CV) Stipulated (S&A) Stipulated | Disputed (CV) Disputed (S&A) Disputed | 902 (CV) ER 402, 403 (S&A) ER 402, 403 | |
| 697 | Email from Lee Cohen to Adrienne McEntee re: South Pier | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) DMS (S&A) DMS | |
| 698 | Email from Lee Cohen to Adrienne McEntee re: update re meeting with opposing counsel | | (CV) Stipulated (S&A) Stipulated | (====) 22:22 | |
| 699 | Loren Cohen's Responses and Objections to Vaughn's | (CV) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 611, 901, 902 (S&A) | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | 1st Requests for Production | (S&A) | | ER 611, 901, 902 | |
| | Production | Stipulated | | 902 | |
| | | | | (CV) ER 611, 901, | |
| 700 | | (CV) | (CID D: 1 | 902, DMS | |
| | Loren Cohen's Answers to Carol Vaughn's 1st | Stipulated (S&A) | (CV) Disputed (S&A) | (S&A) ER 611, 901, | |
| | Interrogatories | Stipulated | Disputed | 902, DMS | |
| | | | | (CV) Daubert; ER | |
| 701 | | (CV) | | 702, 703, 704 (S&A) | |
| | Expert Report of Tom | Stipulated | (CV) Disputed | Daubert; ER | |
| | Bucknell dated 9/23/2024 | (S&A) Stipulated | (S&A) Disputed | 702, 703, 704 | |
| | | - | | (CV) Daubert; ER | |
| | | | | 702, 703, | |
| 702 | | (CV) Stipulated | (CV) Disputed | 704 (S&A) Daubert; ER | |
| | Expert Report of Susan | (S&A) | (S&A) | 702, 703, | |
| | N. Gary dated 9/23/2024 Order for the | Stipulated | Disputed | 704 | |
| | Appointment of a General Receiver, | | | | |
| 703 | regarding Point Ruston, | (67.7) | | (CV) ER | |
| | LLC, entered in Pierce County Case Number | (CV) Stipulated | (CV) Disputed | 402, 403, 611 (S&A) | |
| | 24-2-10970-1 on 9/23/2024 | (S&A) Stipulated | (S&A) Disputed | ER 402, 403, | |
| | | _ | Disputed | (CV) ER | |
| 704 | Carol Vaughn's Responses to Loren | (CV) Stipulated | (CV) Disputed | 611, 901, 902 (S&A) | |
| | Cohen's 3rd Requests for | (S&A) | (S&A) | ER 611, 901, | |
| | Production | Stipulated | Disputed | 902 (CV) ER | |
| 705 | Amara Cohen's Answers and Objections to Loren | (CV) Stipulated | (CV) Disputed | 402, 403, 611, 901, | |
| 703 | Cohen's 2nd Requests | (S&A) | (S&A) | 902 (S&A) | |
| | for Admission | Stipulated | Disputed | ER 402, 403, | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 611, 901, | |
| | | | | 902 | |
| | | | | | |
| | | | | (CV) ER | |
| | | | | 402, 403, 502, 901, | |
| 706 | Susan Cohen's Answers | (CV) | | 902 (S&A) | |
| | and Objections to Loren | Stipulated | (CV) Disputed | ER 402, 403, | |
| | Cohen's 2nd Requests for Admission | (S&A) Stipulated | (S&A) Disputed | 502, 901, 902 | |
| | Susan Cohen's Answers | Supulated | Disputed | (CV) ER | |
| | and Objections to Loren | (CV) | | 611, 901, | |
| 707 | Cohen's 2nd Interrogatories & | Stipulated (S&A) | (CV) Disputed (S&A) | 902 (S&A) ER 611, 901, | |
| | Requests for Production | Stipulated | Disputed | 902 | |
| | | | | (CV) ER | |
| | Carol Vaughn's | (CV) | | 611, 704, 901, 902 | |
| 708 | Responses to Loren | Stipulated | (CV) Disputed | (S&A) ER | |
| | Cohen's 2nd Requests | (S&A) | (S&A) | 611, 704, | |
| | for Admission | Stipulated | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | Amara Cohen's Answers | | | 611, 901, | |
| 709 | and Objections to Loren Cohen's 2nd | (CV) | (CIV) Discorted 1 | 902 (S&A) | |
| | Interrogatories & | Stipulated (S&A) | (CV) Disputed (S&A) | ER 402, 403, 611, 901, | |
| | Requests for Production | Stipulated | Disputed | 902 | |
| | Loren Cohen's | | | (CV) ED | |
| | Responses to Newcomer's 1st | | | (CV) ER 402, 403, | |
| 710 | Requests for Production | | | 611, 901, | |
| /10 | to Loren Cohen | (CV) | (OT) E | 902 (S&A) | |
| | Individually and Loren Cohen as Trustee of the | Stipulated (S&A) | (CV) Disputed (S&A) | ER 402, 403, 611, 901, | |
| | LMC Family Trust | Stipulated | Disputed | 902 | |
| | | (CV) | | (| |
| 711 | Asarco, LLC Proof of Claim, filed in Pierce | Stipulated (S&A) | (CV) Disputed (S&A) | (CV) ER 402, 403, | |
| | County Case Number | Stipulated | Disputed | 611 (S&A) | |

| | | DEFENDANT'S EXHIBITS | | | | |
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| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | 24-2-10970-1 on | | | ER 402, 403, | |
| | | 11/1/2024 | | | 611 | |
| | | Loren Cohen's Answers and Responses to | (CV) | | (CV) ER 611, 901, | |
| | 712 | Vaughn's 2nd | Stipulated | (CV) Disputed | 902 (S&A) | |
| | | Interrogatories & | (S&A) | (S&A) | ER 611, 901, | |
| | | Requests for Production | Stipulated | Disputed | 902 (CV) | |
| | | | | | Daubert; ER | |
| | | | | | 702, 703, | |
| | 713 | Debuttel Deport of Cusen | (CV) | (CV) Disputed | 704 (S&A) | |
| | | Rebuttal Report of Susan N Gary dated | Stipulated (S&A) | (CV) Disputed (S&A) | Daubert; ER 702, 703, | |
| L | | 11/15/2024 | Stipulated | Disputed | 704 | |
| | | | | | (CV) | |
| | | | | | Daubert; ER 702, 703, | |
| | 714 | Appraisal Review | (CV) | | 704 (S&A) | |
| | | Report of Kimberly | Stipulated | (CV) Disputed | Daubert; ER | |
| | | Linebarger dated 11/22/2024 | (S&A) Stipulated | (S&A) Disputed | 702, 703, 704 | |
| | | 11/22/2021 | Supulated | Dispared | (CV) | |
| | | | | | Daubert; ER | |
| | 715 | | (CV) | | 702, 703, 704 (S&A) | |
| | 713 | Expert Report of Elaine | Stipulated | (CV) Disputed | Daubert; ER | |
| | | Peskind dated | (S&A) | (S&A) | 702, 703, | |
| | | 11/22/2024 | Stipulated | Disputed | 704 (CV) ER | |
| | | | | | 611, 801, | |
| | | | | | 802, 805, | |
| | 716 | USA's Objections and | (CV) | | 901, 902 (S&A) ER | |
| | | Responses to Loren | Stipulated | (CV) Disputed | 611, 801, | |
| | | Cohen's 1st | (S&A) | (S&A) | 802, 805, | |
| - | | Interrogatories | Stipulated | Disputed | 901, 902 | |
| | | USA's Objections and Responses to Loren | (CV) Stipulated | (CV) Disputed | (CV) ER 901, 902 | |
| | 717 | Cohen's 2nd Requests | (S&A) | (CV) Disputed | (S&A) ER | |
| | | for Production | Stipulated | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|---|--------------------------------------|--|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | (CV) | | (CV) ER 611, 901, | |
| 718 | Loren Cohen's Answers to Vaughn's 3rd | Stipulated (S&A) | (CV) Disputed (S&A) | 902 (S&A) ER 611, 901, | |
| | Requests for Admission | Stipulated | Disputed | 902 | |
| 719 | Loren Cohen's Answers to Vaughn's 2nd | (CV) Stipulated (S&A) | (CV) Disputed | (CV) ER 402, 403, 611, 901, 902 (S&A) ER 402, 403, 611, 901, | |
| | Requests for Admission | Stipulated | Disputed | 902 | |
| 720 | | (CV) Stipulated | (CV) Disputed | (CV) ER 402, 403, 611, 901, 902 (S&A) ER 402, 403, | |
| | Loren Cohen's Answers to Vaughn's 1st RFAs | (S&A) Stipulated | (S&A) Disputed | 611, 901, 902 | |
| 721 | Loren Cohen's Answers and Objections to Newcomer's 1st Interrogatories and 2nd Requests for Production | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 611, 901, 902 (S&A) ER 402, 403, 611, 901, 902 | |
| 722 | PC Collections Answers and Objections to Carol Vaughn's 1st Requests for Admission | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 611, 901, 902 (S&A) ER 611, 901, 902 | |
| 723 | PC Collections Answers and Objections to Carol Vaughn's 1st RFPs | (CV) Stipulated (S&A) Stipulated | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 611, 901, 902 (S&A) ER 402, 403, 611, 901, 902 | |

| | | DEFENDANT'S | | | | |
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| $\ $ | Ex. | EXHIBITS Description | Authenticity | Admissibility | Objection | Admitted |
| | # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | (CV) ER 402, 403, 611, 901, | |
| | 724 | Loren Cohen's Responses to Vaughn's 3rd Requests for | (CV) Stipulated (S&A) | (CV) Disputed (S&A) | 902 (S&A) ER 402, 403, 611, 901, | |
| | | Production | Stipulated | Disputed | 902 | |
| | | United States' Letter in Support of Motion to Remove Receiver, filed | (CV) | | (CV) ER 402, 403, | |
| | 725 | in Pierce County Case Number 24-2-10970-1 | Stipulated (S&A) | (CV) Disputed (S&A) | 611 (S&A) ER 402, 403, | |
| | | on December 18, 2024 Notice of Withdrawal of | Stipulated | Disputed | 611 | |
| | | Creditor's Claim by | | | | |
| | 726 | William Newcomer, | | (CV) | | |
| | /20 | filed in Pierce County Superior Case No. 21-4- | | (CV) Stipulated | | |
| | | 00122-9, dated 1/16/2025 | | (S&A) Stipulated | | |
| | | | | | (CV) Rooker- | |
| | | | | | Feldman Doctrine; Full Faith | |
| | | Loren Cohen's Oposition | | | and Credit | |
| | 727 | to Plaintiff's Motion to | | | Clause | |
| | | Sever Cross and Counter Claims for Breach of | | | (S&A) Rooker- | |
| | | Fiduciary Duty and to Consolidate With | (CV) | | Feldman Doctrine; | |
| | | Probate Administration, | Stipulated | (CV) Disputed | Full Faith | |
| | | filed in PCSC No 23-2- 07988-0 | (S&A) Stipulated | (S&A) Disputed | and Credit Clause | |
| | 700 | 3M&C Developing First | | (CV) Stipulated | | |
| | 728 | Restated LLC Agreement 01.2001 | | (S&A) Stipulated | | |
| | 729 | Medical Records for | | (CV) | | |
| | | Michael Cohen from | | Stipulated | | |

| 1 | | DEFENDANT'S | | | | |
|----------|----------|---|--------------------------------------|--------------------------------------|------------------------------------|----------|
| | _ | EXHIBITS | | | | |
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | 7/21/2014 through 2/2/2021 | | (S&A) Stipulated | | |
| 5 | | Alaska Airlines | | | (CV) ER 611, 901, | |
| 6 | 730 | transaction history from 1/1/2020 through 1/26/2021 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | 902 (S&A) ER 611, 901, 902 | |
| 7 | | | | | (CV) ER 403,403, | |
| 9 | 731 | Terrell Marshall Law Group Attorneys' Fees | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 10 | | from 7/11/2023 through 12/9/2024 | (S&A) Disputed | (S&A) Disputed | 403,403, 901, 902 | |
| 11 | 732 | Thompson Howle Vaughn Attorneys Fees | | (CV) Stipulated | | |
| 12 | 732 | for the period 1/10/2022 to 9/30/2024 | | (S&A) Stipulated | | |
| 13 14 | 733 | Bruce Moen attorneys' | | (CV) Stipulated | | |
| 15 | | fees from 3/10/2022 to 10/28/2024 | | (S&A) Stipulated | | |
| 16 | 734 | BLUEBERRY FARMS | | (CV) Stipulated (S&A) | | |
| 17 | | II LLC AGREEMENT Email from Loren Cohen | | Stipulated (CV) | | |
| 18 | 735 | to Kyle Johnson re draft Cohen Transfer | | Stipulated (S&A) | | |
| 19 20 | | Agreement Draft Agreement for | | Stipulated (CV) | | |
| 21 | 736 | Transfer of Remaining Interests in Limited | | Stipulated (S&A) | | |
| 22 | | Liability Company Draft First Amended | | Stipulated | | |
| 23 | 737 | Agreement for Transfer of Remaining Interests | | (CV) Stipulated | | |
| 24 | | in Limited Liability Company | | (S&A) Stipulated | | |
| 25 | | | | | | |

| 1 | | DEFENDANT'S | | | | |
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| 2 | Ex. | EXHIBITS Description | Authenticity | Admissibility | Objection | Admitted |
| 2 | # | | | | J | |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 611, 901, 902; Needs | |
| 5 | | | | | to be | |
| | | | | | translated | |
| 6 | | | | | into English and | |
| 7 | 738 | | | | authenticated | |
| 8 | /36 | | | | (S&A) ER | |
| | | | | | 611, 901, 902; Needs | |
| 9 | | | | | to be | |
| 10 | | 4140-4376-3016 v 2, | (CV) Diameted | (CV) D: | translated | |
| 11 | | PVE - EP 44,941 (TRANSMISIÓN Y | (CV) Disputed | (CV) Disputed (S&A) | into English and | |
| | | EXTINCIÓN) | Disputed | Disputed | authenticated | |
| 12 | | | | | (CV) ER | |
| 13 | | | | | 611, 901, 902; Needs | |
| 14 | | | | | to be | |
| 15 | | | | | translated | |
| | | | | | into English and | |
| 16 | 739 | | | | authenticated | |
| 17 | 137 | | | | (S&A) ER | |
| 18 | | | | | 611, 901, 902; Needs | |
| | | | | | to be | |
| 19 | | 4156-0123-4517 v 1, | (CV) Disputed | (CV) Disputed | translated | |
| 20 | | PVE - EP 44,855 (PODER JOSE | (CV) Disputed | (CV) Disputed (S&A) | into English and | |
| 21 | | HIGINIO) | Disputed | Disputed | authenticated | |
| 22 | | | | | | |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S | | | | |
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| | T0 | EXHIBITS | A 41 4: 14 | A 1 | 01: 4: | A 1 .44 1 |
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | <i>"</i> | | | | (CV) ER | |
| 4 | | | | | 611, 901, 902; Needs | |
| 5 | | | | | to be | |
| | | | | | translated into English | |
| 6 | | | | | and | |
| 7 | 740 | | | | authenticated | |
| 8 | | | | | (S&A) ER 611, 901, | |
| 9 | | | | | 902; Needs | |
| | | | | | to be | |
| 10 | | | (CV) Disputed | (CV) Disputed | translated into English | |
| 11 | | | (S&A) | (CV) Disputed | and | |
| 12 | | 44855 dup poder | Disputed | Disputed | authenticated | |
| | | | | | (CV) ER 611, 901, | |
| 13 | | | | | 902; Needs | |
| 14 | | | | | to be | |
| 15 | | | | | translated into English | |
| | | | | | and | |
| 16 | 741 | | | | authenticated | |
| 17 | | | | | (S&A) ER 611, 901, | |
| 18 | | | | | 902; Needs | |
| 19 | | | | | to be translated | |
| | | | (CV) Disputed | (CV) Disputed | into English | |
| 20 | | | (S&A) | (S&A) | and | |
| 21 | | 44855 poder | Disputed | Disputed | authenticated | |
| 22 | | | | | | |

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THOMPSON HOWLE VAUGHN

| | DEFENDANT'S EXHIBITS | | | | |
|-----|---|-------------------------|-------------------------|----------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| # | | | | (CV) ER | |
| | | | | 611, 901, | |
| | | | | 902; Needs to be | |
| | | | | translated | |
| | | | | into English | |
| | | | | and authenticated | |
| 742 | | | | (S&A) ER | |
| | | | | 611, 901, | |
| | | | | 902; Needs to be | |
| | | | | translated | |
| | Conjunto Desarrollo Marina Mar, s.a. de C.V. | (CV) Disputed (S&A) | (CV) Disputed (S&A) | into English and | |
| | Irrevocable Trust | Disputed | Disputed | authenticated | |
| | | | (CV) | | |
| 743 | | | Stipulated (S&A) | | |
| | 2017 Form K-1 | | Stipulated | | |
| | | | (CV) | | |
| 744 | | | Stipulated (S&A) | | |
| | 2018 Tax Return | | Stipulated | | |
| | | | (CV) Stipulated | | |
| 745 | | | (S&A) | | |
| | 2018 form K-1 | | Stipulated | | |
| | | | (CV) Stipulated | | |
| 746 | | | (S&A) | | |
| | 2019 Form K-1 | | Stipulated | | |
| | Email from Kyle Johnson to Mike Cohen | | (CV) | | |
| 747 | Re: Have you received | | Stipulated | | |
| | all info you need/requested? | | (S&A) Stipulated | | |
| | Email from Kyle | | (CV) | | |
| 748 | Johnson to Loren Cohen, | | Stipulated | | |
| | Mike Cohen Re: LMC FAMILY TRUST | | (S&A) Stipulated | | |
| | TAMILI IKOSI | | Supulated | I | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|---------------|-----------------------|-----------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Email from Kyle | | (CV) Stipulated | | |
| 749 | Johnson to Mike Cohen, Loren Cohen re: Trusts | | (S&A) Stipulated | | |
| | Zoron cononito iragas | | (CV) | | |
| 750 | Email from Loren Cohen to Kyle Johnson, Mike | | Stipulated (S&A) | | |
| | Cohen RE: Trusts | | Stipulated | | |
| | Email from Kyle | | (CV) | | |
| 751 | Johnson to Loren Cohen, | | Stipulated | | |
| | Michael Cohen Re: Trusts | | (S&A) | | |
| | Email from Kyle | | Stipulated (CV) | | |
| 750 | Johnson to Mike | | Stipulated | | |
| 752 | Cohren, Loren Cohen | | (S&A) | | |
| | Re: LMC Family Trust Email from Loren Cohen | | Stipulated | | |
| | to Kyle Johnson, Mike | | | (CV) ER | |
| 753 | Cohen, Jim Scherbinske | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | RE: Trusts, with | (S&A) | (S&A) | (S&A) ER | |
| | attachments | Disputed | Disputed | 901, 902 | |
| | Email from Kyle Johnson to Loren Cohen, | | (CV) Stipulated | | |
| 754 | Mike Cohen Re: | | (S&A) | | |
| | Planning | | Stipulated | | |
| | Email from Kyle | | (07.7) | | |
| 755 | Johnson to Loren Cohen re: Cohen Transfer | | (CV) | | |
| 133 | Agreement, with | | Stipulated (S&A) | | |
| | attachment | | Stipulated | | |
| | Email from Loren Cohen | | (CV) | | |
| 756 | to Kyle Johnson Re: | | Stipulated | | |
| | Cohen Transfer Agreement | | (S&A) Stipulated | | |
| | Email from Loren Cohen | | (CV) | | |
| 757 | to Kyle Johnson Re: | | Stipulated | | |
| | Cohen Transfer Agreement | | (S&A) Stipulated | | |
| | Email from Kyle | | | | |
| 758 | Johnson to Loren Cohen | | (CV) | | |
| | re: Cohen Transfer | | Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitte |
| | Agreement, with attachment | | (S&A) Stipulated | | |
| | attachment | | Supulated | | |
| | Email from Kyle Johnson to Mike Cohen, | | (CV) | | |
| 759 | Loren Cohen Re: Cohen | | Stipulated | | |
| | Transfer Agreement | | (S&A) | | |
| | 8/20, with attachment | | Stipulated | | |
| | Email from Kyle Johnson to Loren Cohen | | (CV) | | |
| 760 | Re Cohen Transfer | | Stipulated | | |
| | Agreement 8.20, with | | (S&A) | | |
| | attachment | | Stipulated | | |
| | Email from Kyle | | (CII) | | |
| 761 | Johnson to Loren Cohen, Mike Cohen Re: Cohen | | (CV) Stipulated | | |
| 701 | Transfer Agreement | | (S&A) | | |
| | 8/20 | | Stipulated | | |
| | Email from Loren Cohen | | (67.7) | | |
| 762 | to Kyle Johnson, Susan Cohen, Mike | | (CV) Stipulated | | |
| 702 | CohenNotes from the | | (S&A) | | |
| | call | | Stipulated | | |
| | Email from Kyle | | | | |
| 7.00 | Johnson, Loren Cohen, | | (CV) | | |
| 763 | Susan Cohen, Mike Cohen Re: Notes from | | Stipulated (S&A) | | |
| | the call | | Stipulated | | |
| | Email from Kyle | | | | |
| | Johnson to Loren Cohen, | | (CV) | | |
| 764 | Susan Cohen, Mike | | Stipulated | | |
| | Cohen Re: Notes from the call | | (S&A) Stipulated | | |
| | Email from Loren Cohen | | (CV) | | |
| 765 | to Kyle Johnson, Mike | | Stipulated | | |
| 703 | Cohen RE: Notes from | | (S&A) | | |
| | the call, with attachment | | Stipulated | | + |
| | Email from Kyle Johnson to Loren Cohen, | | (CV) Stipulated | | |
| 766 | Mike Cohen Re: Notes | | (S&A) | | |
| | from the call | | Stipulated | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Loren Cohen | | (CV) | | |
| . | 767 | to Kyle Johnson, Mike | | Stipulated | | |
| 4 | /0/ | Cohen RE: Notes from | | (S&A) | | |
| 5 | | the call, with attachment | | Stipulated | | |
| | | Email from Kyle | | | | |
| 6 | | Johnson to Mike Cohen, | | | | |
| _ | 768 | Loren Cohen Re: | | (CV) | | |
| 7 | / 55 | Successor Trustee | | Stipulated | | |
| 8 | | Agreement, with | | (S&A) | | |
| ١ | | attachment | | Stipulated | _ | |
| 9 | | Email from Loren Cohen | | (CV) | | |
| | 769 | to Kyle Johnson, Mike | | Stipulated | | |
| 10 | | Cohen RE: Notes from | | (S&A) | | |
| 11 | | the call, with attachment | | Stipulated | | |
| 11 | | Email from Loren Cohen | | (CV) | | |
| 12 | 770 | to Kyle Johnson, Mike Cohen RE: Successor | | (CV) | | |
| | //0 | | | Stipulated (S&A) | | |
| 13 | | Trustee Agreement, with attachment | | Stipulated | | |
| 14 | | Email from Kyle | | Supurated | | |
| 14 | | Johnson to Loren Cohen, | | (CV) | | |
| 15 | 771 | Mike Cohen Re: | | Stipulated | | |
| | | Successor Trustee | | (S&A) | | |
| 16 | | Agreement | | Stipulated | | |
| 17 | | Email from Kyle | | | | |
| 1 / | | Johnson to Loren Cohen, | | | | |
| 18 | | Michael Cohen Re: | | (CV) | | |
| | 772 | Draft of Mike's Will for | | Stipulated | | |
| 19 | | review and comment, | | (S&A) | | |
| 20 | | with attachment | | Stipulated | | |
| 20 | | Email from Kyle | | (CV) | | |
| 21 | 773 | Johnson to Mike Cohen, | | Stipulated | | |
| | 113 | Loren Cohen Re: Cohen | | (S&A) | | |
| 22 | | will Kyle notes FYI | | Stipulated | | |
| 23 | | Email from Loren Cohen | | | | |
| 23 | | to Susan Cohen Re: | | (CV) | | |
| 24 | 774 | Draft of Mike's Will for | | Stipulated | | |
| | | review and comment, | | (S&A) | | |
| 25 | | with attachment | | Stipulated | | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-------------|-------|--|--------------|---------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Susan Cohen | | (CV) | | |
| 4 | 775 | to Loren Cohen Re: | | Stipulated | | |
| ⁺ | | Draft of Mike's Will for | | (S&A) | | |
| 5 | | review and comment Email from Loren Cohen | | Stipulated (CV) | + | |
| 5 | | to Susan Cohen RE: | | Stipulated | | |
| ' | 776 | Draft of Mike's Will for | | (S&A) | | |
| · | | review and comment | | Stipulated | | |
| | | Email from Kyle | | | | |
| \parallel | | Johnson to Loren Cohen | | (CV) | | |
| Ш | 777 | Re: Successor Trustee | | Stipulated | | |
| \parallel | | Agreement, with | | (S&A) | | |
| | | attachment | | Stipulated | | |
| Ш | | Email from Loren Cohen to Mike Cohen, Kyle | | | | |
| \parallel | | Johnson Re: | | | | |
| \parallel | | SUCCESSOR | | | | |
| | 778 | TRUSTEE | | (CV) | | |
| | | AGREEMENT SEP 9 | | Stipulated | | |
| \parallel | | 2020 FINAL.docx, with | | (S&A) | | |
| \parallel | | attachment | | Stipulated | | |
| \parallel | | Email from Mike Cohen | | | | |
| \parallel | | to Loren Cohen, Kyle Johnson Re: | | | | |
| | 779 | SUCCESSOR | | (CV) | | |
| | 119 | TRUSTEE | | Stipulated | | |
| | | AGREEMENT SEP 9 | | (S&A) | | |
| | | 2020 FINAL.docx | | Stipulated | | |
| | | Email from Loren Cohen | | | | |
| | | to Susan Cohen, Mike | | | | |
| | 780 | Cohen, Kyle Johnson | | (CV) | | |
| . | | Re: Successor Trustee | | Stipulated | | |
| | | Agreement - final, with attachment | | (S&A) Stipulated | | |
| Ш | | Email from Mike Cohen, | | Supurateu | | |
| \parallel | | Loren Cohen, Susan | | (CV) | | |
| | 781 | Cohen, Kyle Johnson | | Stipulated | | |
| | | RE: Successor Trustee | | (S&A) | | |
| | | Agreement - final | | Stipulated | | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|--------------|-----------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Kyle | | | | |
| 4 | 782 | Johnson to Loren Cohen, Susan Cohen, Mike | | (CV) | | |
| 5 | 702 | Cohen Re: Successor Trustee Agreement - | | Stipulated (S&A) | | |
| 6 | | final | | Stipulated | | |
| 7 | 783 | Email from Susan Cohen to Loren Cohen Re: | | (CV) Stipulated | | |
| 8 | | Successor Trustee Agreement - final | | (S&A) Stipulated | | |
| 9 | | Email from Kyle Johnson to Loren Cohen, | | (CV) | | |
| 10 | 784 | Mike Cohen Re: Successor Trustee | | Stipulated (S&A) | | |
| 11 | | Agreement - final Email from Mike Cohen | | Stipulated | | |
| 12 | 505 | to Kyle Johnson, Loren | | (CV) | | |
| 13 | 785 | Cohen RE: Successor Trustee Agreement - | | Stipulated (S&A) | | |
| 14 | | final Email from Loren Cohen | | Stipulated | | |
| 15 | | to Kyle Johnson, Mike | | (CV) | | |
| 16 | 786 | Cohen RE: Successor Trustee Agreement - | | Stipulated (S&A) | | |
| 17 | | final, with attachment Email from Loren Cohen | | Stipulated (CV) | | |
| 18 | 787 | to Susan cohen RE: Successor Trustee | | Stipulated (S&A) | | |
| 19 | | Agreement - final | | Stipulated | | |
| 20 | | Email from Kyle Johnson to Loren Cohen, | | (CV) Stipulated | | |
| 21 | 788 | Mike Cohen Re: Mike's | | (S&A) | | |
| 22 | | Will Email from Mike Cohen | | Stipulated (CV) | | |
| 23 | 789 | to Kyle Johnson, Loren Cohen, Susan Cohen | | Stipulated (S&A) | | |
| 24 | | RE: Mike's Will | | Stipulated | | |
| 25 | 790 | Email from Loren Cohen to Kyle Johnson, Mike | | (CV) Stipulated | | |
| 26 | ,,,, | Cohen, Susan Cohen RE: Mike's Will | | (S&A) Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitte |
| | | | (CV) | | |
| 791 | Email from Mike Cohen | | Stipulated | | |
| /91 | to Kyle Johnson, Loren | | (S&A) | | |
| | Cohen RE: Mike's Will | | Stipulated | | |
| | Email from Kyle | | (CV) | | |
| 792 | Johnson to Mike Cohen, | | Stipulated | | |
| 192 | Loren Cohen Re: Mike's | | (S&A) | | |
| | Will | | Stipulated | | |
| | Email from Kyle | | (CV) | | |
| 703 | Johnson to Mike Cohen, | | Stipulated | | |
| 793 | Loren Cohen Re: Mike's | | (S&A) | | |
| | Will | | Stipulated | | |
| | Email from Kyle | | | | |
| | Johnson to Loren Cohen | | | | |
| | Re: MAC UPDATED | | (CV) | | |
| 794 | WILL REDLINES | | Stipulated | | |
| | 09.16.2020, with | | (S&A) | | |
| | attachment | | Stipulated | | |
| | Email from Loren Cohen | | (CV) | | |
| | to Kyle Johnson RE: | | Stipulated | | |
| 795 | MAC UPDATED WILL | | (S&A) | | |
| | REDLINES 09.16.2020 | | Stipulated | | |
| | Email from Loren Cohen | | Supulated | | |
| | to Kyle Johnson, Mike | | (CV) | | |
| 796 | Cohen RE: Mexico side | | Stipulated | | |
| 170 | agreement, with | | (S&A) | | |
| | attachment | | Stipulated | | |
| | Email from Kyle | | (CV) | | |
| | Johnson to Loren Cohen, | | Stipulated | | |
| 797 | Mike Cohen Re: Mexico | | (S&A) | | |
| | side agreement | | | | |
| | Email from Loren | | Stipulated (CV) | | |
| | | | · / | | |
| 798 | Cohen, Kyle Johnson, Mike Cohen RE: Mexico | | Stipulated | | |
| | • | | (S&A) | | |
| | side agreement | | Stipulated | | |
| | Email from Kyle | | | | |
| | Johnson to Loren Cohen | | (CIII) | | |
| 799 | Re: MAC UPDATED | | (CV) | | |
| | WILL REDLINES | | Stipulated | | |
| | 09.16.2020.pdf, with | | (S&A) | | |
| | attachment | | Stipulated | | 1 |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|--------------|-----------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Loren Cohen | | | | |
| 4 | 000 | to Kyle Johnson RE: MAC UPDATED WILL | | (CV) | | |
| 5 | 800 | REDLINES 09.16.2020.pdf, with | | Stipulated (S&A) | | |
| 6 | | attachment | | Stipulated | | |
| | | Email from Kyle | | | | |
| 7 | | Johnson to Loren Cohen | | (CV) | | |
| 8 | 801 | Re: MAC UPDATED | | Stipulated | | |
| ° | | WILL REDLINES | | (S&A) | | |
| 9 | | 09.16.2020.pdf | | Stipulated | | |
| 10 | | Email from Loren Cohen to Kyle Johnson, Mike | | | | |
| | | Cohen RE: MAC | | | | |
| 11 | 802 | UPDATED WILL | | (CV) | | |
| 12 | | REDLINES | | Stipulated | | |
| 12 | | 09.16.2020.pdf, with | | (S&A) | | |
| 13 | | attachment | | Stipulated | | |
| 14 | | Email from Kyle Johnson to Loren Cohen, | | | | |
| 14 | | Mike Cohen Re: MAC | | (CV) | | |
| 15 | 803 | UPDATED WILL | | Stipulated | | |
| . | | REDLINES | | (S&A) | | |
| 16 | | 09.16.2020.pdf | | Stipulated | | |
| 17 | | Email from Kyle | | | | |
| | | Johnson to Loren Cohen, | | | | |
| 18 | 804 | Mike Cohen Re: MAC | | (CV) | | |
| 19 | 004 | UPDATED WILL | | Stipulated | | |
| 19 | | REDLINES | | (S&A) | | |
| 20 | | 09.16.2020.pdf | | Stipulated | | |
| _ | | Email from Loren Cohen | | | | |
| 21 | | to Kyle Johnson, Mike Cohen RE: MAC | | | | |
| 22 | 805 | UPDATED WILL | | (CV) | | |
| _ | | REDLINES | | Stipulated | | |
| 23 | | 09.16.2020.pdf, with | | (S&A) | | |
| 24 | | attachment | | Stipulated | | |
| | | Email from Mike Cohen | | (CV) | | |
| 25 | 806 | to Loren Cohen, Kyle | | Stipulated | | |
| 26 | | Johnson Re: MAC | | (S&A) | | |
| 20 | | UPDATED WILL | | Stipulated | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|--------------|---------------------|-----------|--|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | REDLINES | | | | |
| 4 | | 09.16.2020.pdf | | | | |
| 5 | | Email from Loren Cohen to Mike Cohen, Kyle | | | | |
| 6 | 807 | Johnson RE: MAC | | (CV) | | |
| 7 | 007 | UPDATED WILL | | Stipulated | | |
| ′ | | REDLINES 09.16.2020.pdf | | (S&A) Stipulated | | |
| 8 | | Email from Kyle | | (CV) | | |
| 9 | 000 | Johnson to Mike Cohen, | | Stipulated | | |
| | 808 | Loren Cohen Re: | | (S&A) | | |
| 10 | | Mexico side agreement | | Stipulated | | |
| 11 | | Email from Kyle Johnson to Mike Cohen, | | | | |
| 12 | 809 | Loren Cohen Re: MAC UPDATED WILL | | (CV) Stipulated | | |
| 13 | | REDLINES | | (S&A) | | |
| 13 | | 09.16.2020.pdf | | Stipulated | | |
| 14 | | Email from Kyle | | (CV) | | |
| 15 | 810 | Johnson to Mike Cohen, | | Stipulated | | |
| | 010 | Loren Cohen Re: | | (S&A) | | |
| 16 | | Mexico Agreement Email from Loren Cohen | | Stipulated | | 1 |
| 17 | | to Kyle Johnson, Mike | | | | |
| | | Cohen RE: MAC | | | | |
| 18 | 811 | UPDATED WILL | | (CV) | | |
| 19 | | REDLINES | | Stipulated | | |
| | | 09.16.2020.pdf, with attachment | | (S&A) Stipulated | | |
| 20 | | Email from Kyle | | Supulated | | + |
| 21 | | Johnson to Mike Cohen, | | (CV) | | |
| | 812 | Loren Cohen Re: | | Stipulated | | |
| 22 | | Mexico Mou, with | | (S&A) | | |
| 23 | | attachment | | Stipulated | | <u> </u> |
| _ | | Email from Kyle Johnson to Mike Cohen, | | (CV) | | |
| 24 | 813 | Loren Cohen Re: | | Stipulated | | |
| 25 | 013 | Mexico Mou, with | | (S&A) | | |
| | | attachment | | Stipulated | | <u> </u> |
| 26 | | | | | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-----|---|--------------|-----------------------|-----------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Kyle | | | | |
| | | Johnson to Mike Cohen, | | | | |
| 4 | 014 | Loren Cohen Re: MAC | | (CII) | | |
| 5 | 814 | UPDATED WILL REDLINES 09.19.2020 | | (CV) Stipulated | | |
| 6 | | RdLns.docx, with | | (S&A) | | |
| ١ | | attachments | | Stipulated | | |
| 7 | | Email from Loren Cohen | | | | |
| 8 | | to Kyle Johnson, Mike | | (CII) | | |
| | 815 | Cohen Re: MAC UPDATED WILL | | (CV) Stipulated | | |
| 9 | | REDLINES 09.19.2020 | | (S&A) | | |
| 10 | | RdLns.docx | | Stipulated | | |
| | | Email from Kyle | | | | |
| 11 | | Johnson to Loren Cohen, | | (677) | | |
| 12 | 816 | Mike Cohen Re: MAC UPDATED WILL | | (CV) Stipulated | | |
| 12 | | REDLINES 09.19.2020 | | (S&A) | | |
| 13 | | RdLns.docx | | Stipulated | | |
| 14 | | Email from Mike Cohen | | | | |
| 15 | | to Loren Cohen, Kyle | | (CII) | | |
| 13 | 817 | Johnson RE: MAC UPDATED WILL | | (CV) Stipulated | | |
| 16 | | REDLINES | | (S&A) | | |
| 17 | | 09.16.2020.pdf | | Stipulated | | |
| | | Email from Kyle | | | | |
| 18 | 010 | Johnson to Mike Cohen, | | (CV) | | |
| 19 | 818 | Susan Cohen, Loren Cohen Re: Mexico Mou, | | Stipulated (S&A) | | |
| 20 | | with attachment | | Stipulated | | |
| 20 | | Email from Susan Cohen | | • | | |
| 21 | | to Loren Cohen, Kyle | | (CV) | | |
| 22 | 819 | Johnson, Mike Cohen | | Stipulated | | |
| 22 | | Re: change to Successor Trustee Agreement | | (S&A) Stipulated | | |
| 23 | | Email from Kyle | | Supulated | | |
| 24 | | Johnson to Susan Cohen, | | | | |
| | 820 | Loren Cohen, Mike | | (CV) | | |
| 25 | | Cohen Re: change to | | Stipulated | | |
| 26 | | Successor Trustee Agreement | | (S&A) Stipulated | | |
| | | / igicomon | | Supulated | <u> </u> | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|--------------|-----------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Kyle | | | | |
| 4 | 821 | Johnson to Susan Cohen, Loren Cohen, Mike | | (CV) | | |
| 5 | 021 | Cohen Re: change to Successor Trustee | | Stipulated (S&A) | | |
| 6 | | Agreement | | Stipulated | | |
| 7 | | Email from Kyle Johnson to Susan Cohen, | | | | |
| 8 | 822 | Loren Cohen, Mike Cohen Re: Successor | | (CV) Stipulated | | |
| 9 | | Trustee Agreement 9.28.20, with attachment | | (S&A) Stipulated | | |
| 10 | | Email from Kyle Johnson, Loren Cohen, | | | | |
| 11 | | Mike Cohen Re: | | 4 | | |
| 12 | 823 | SUCCESSOR TRUSTEE | | (CV) Stipulated | | |
| 13 | | AGREEMENT SEP 9 2020 FINAL.doex | | (S&A) Stipulated | | |
| 14 | | Email from Mike Cohen, | | Supulated | | |
| 15 | 824 | Loren Cohen, Kyle Johnson, Susan Cohen | | (CV) Stipulated | | |
| 16 | | Re: FINAL 4 ESTATE DOCS, with attachments | | (S&A) Stipulated | | |
| 17 | | Email from Susan Cohen to Mike Cohen, Loren | | (CV) Stipulated | | |
| 18 | 825 | Cohen Re: FINAL 4 | | (S&A) | | |
| 19 | | ESTATE DOCS Email from Susan Cohen | | Stipulated (CV) | | |
| 20 | 826 | to Mike Cohen, Loren Cohen Re: FINAL 4 | | Stipulated (S&A) | | |
| 21 | | ESTATE DOCS | | Stipulated | | |
| 22 | | Email from Kyle Johnson to Mike Cohen, | | | | |
| 23 | 827 | Loren Cohen, Susan Cohen re: Successor | | (CV) | | |
| 24 | | Trustee Agreement 9.28.20.docx, with | | Stipulated (S&A) | | |
| 25 | | attachment | | Stipulated | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-----|--|--------------|------------------------|-----------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Loren Cohen | | | | |
| 4 | | to Kyle Johnson, Mike Cohen, Susan Cohen | | | | |
| 5 | 828 | RE: Successor Trustee | | (CV) | | |
| 6 | | Agreement 9.28.20.docx, with | | Stipulated (S&A) | | |
| _ | | attachment | | Stipulated | | |
| 7 | | Email from Kyle | | | | |
| 8 | | Johnson to Loren Cohen, Mike Cohen Re: | | | | |
| 9 | 829 | Successor Trustee | | (CV) | | |
| | | Agreement | | Stipulated | | |
| 10 | | 9.28.20.docx, with attachment | | (S&A) Stipulated | | |
| 11 | | Email from Loren Cohen | | • | | |
| 12 | | to Kyle Johnson, Mike Cohen RE: Successor | | (CV) | | |
| 13 | 830 | Trustee Agreement | | Stipulated | | |
| | | 9.28.20.docx, with | | (S&A) | | |
| 14 | | attachments | | Stipulated | | |
| 15 | | Email from Kyle Johnson to Loren Cohen, | | (CV) | | |
| 16 | 831 | Mike Cohen Re: | | Stipulated | | |
| 16 | | Successor Trustee | | (S&A) | | |
| 17 | | Agreement 9.28.20.docx | | Stipulated | | |
| 18 | | Email from Loren Cohen | | (CV) | | |
| 10 | 832 | to Kyle Johnson, Mike Cohen Re: Successor | | (C v) Stipulated | | |
| 19 | 032 | Trustee Agreement | | (S&A) | | |
| 20 | | 9.28.20.docx | | Stipulated | | |
| | | Email from Kyle Johnson to Mike Cohen, | | | | |
| 21 | | Loren Cohen, Susan | | | | |
| 22 | 833 | Cohen Re: Successor | | (CV) | | |
| 23 | | Trustee Agreement Exhibit A, with | | Stipulated (S&A) | | |
| 24 | | attachment | | Stipulated | | |
| | | Email from Kyle | | (CV) | | |
| 25 | 834 | Johnson to Mike Cohen, | | Stipulated | | |
| 26 | | Loren Cohen, Susan | | (S&A) | | |
| | | Cohen re: Successor | | Stipulated | <u> </u> | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|-------------------|-------------------------------------|----------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Trustee Agreement | | | | |
| | 9.28.20.docx, with attachment | | | | |
| | | | (CV) | | |
| 835 | Email from Susan Cohen to Loren Cohen Re: Tape, with attachments | | Stipulated (S&A) Stipulated | | |
| | 24,50, 1112 41140222210210 | | ~ 11 p 12 11 1 1 1 | (CV) ER | |
| | | | | 901, 902, 1004; | |
| | | | | Recording speaks for | |
| 836 | | | | itself (S&A) ER | |
| | | | | 901, 902, 1004; | |
| | Transcript of Audio | (CV) Disputed | (CV) Disputed | Recording | |
| | Recording at COHEN 000540 | (S&A) Disputed | (S&A) Disputed | speaks for itself | |
| | Email from Loren Cohen | • | (CV) | | |
| 837 | to Mike Cohen, Kyle Johnson Re: Transfer | | Stipulated (S&A) | | |
| | Agreement Email from Mike Cohen | | Stipulated (CV) | | |
| 838 | to Loren Cohen, Kyle | | Stipulated | | |
| | Johnson Re: Transfer Agreement | | (S&A) Stipulated | | |
| | Email from Loren Cohen | | (CV) | | |
| 839 | to Mike Cohen, Kyle Johnson RE: Transfer | | Stipulated | | |
| | Agreement, with attachment | | (S&A) Stipulated | | |
| | | | (CV) | | |
| 840 | Email from Kyle Johnson to Loren Cohen | | Stipulated (S&A) | | |
| | Re: Transfer Agreement | | Stipulated (CV) | | |
| 841 | Email from Kyle | | Stipulated | | |
| | Johnson to Loren cohen Re: Transfer Agreement | | (S&A) Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|--------------|-----------------|-----------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | D 11.0 T 1 | | (CV) | | |
| 842 | Email from Loren cohen | | Stipulated | | |
| | to Kyle Johnson RE: | | (S&A) | | |
| | Transfer Agreement | | Stipulated (CV) | | + |
| | Email from Mike Cohen | | Stipulated | | |
| 843 | to Loren Cohen Re: | | (S&A) | | |
| | Transfer Agreement | | Stipulated | | |
| | Email from Kyle | | (CV) | | |
| | Johnson to Mike Cohen, | | Stipulated | | |
| 844 | Loren Cohen Re: | | (S&A) | | |
| | Transfer Agreement | | Stipulated | | |
| | | | (CV) | | |
| 845 | Email from Kyle | | Stipulated | | |
| 843 | Johnson to Loren Cohen | | (S&A) | | |
| | Re: Transfer Agreement | | Stipulated | | |
| | | | (CV) | | |
| 846 | Email from Kyle | | Stipulated | | |
| 040 | Johnson to Loren Cohen | | (S&A) | | |
| | Re: Transfer Agreement | | Stipulated | | |
| | Email from Loren Cohen | | | | |
| | to Susan Cohen, Mike | | (CV) | | |
| 847 | Cohen Re: Successor | | Stipulated | | |
| | Trustee Agreement, with | | (S&A) | | |
| | attachments | | Stipulated | | |
| | Email from Susan Cohen | | (CV) | | 1 |
| 848 | to Loren Cohen, Michael | | Stipulated | | |
| | Cohen Re: Successor | | (S&A) | | |
| | Trustee Agreement Email from Loren Cohen | | Stipulated (CV) | | 1 |
| | to Kyle Johnson, Mike | | Stipulated | | |
| 849 | Cohen Re: Transfer | | (S&A) | | |
| | Agreement amendment | | Stipulated | | |
| | Email from Susan Cohen | | Suparated | | 1 |
| | to Loren Cohen, Mike | | | | |
| 0.50 | Cohen re: Finalizing | | (CV) | | |
| 850 | trustee successor | | Stipulated | | |
| | agreement, with | | (S&A) | | 1 |
| | attachments | | Stipulated | | 1 |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|----------|--|--------------|-----------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Loren Cohen | | | | |
| 4 | | to Susan Cohe, Mike Cohen re: SUCCESSOR | | | | |
| 5 | 851 | TRUSTEE AGREEMENT | | (CV) | | |
| 6 | | compared 10 8 2020.docx, with | | Stipulated (S&A) | | |
| 7 | | attachment | | Stipulated | | |
| 8 | | Email from Loren Cohen to Mike Cohen, Susan | | | | |
| 9 | 0.52 | Cohen RE: CWS Capital Partners: New | | | | |
| 10 | 852 | Documents Available - Your Quarterly Property | | (CV) Stipulated | | |
| 11 | | Reports, with attachments | | (S&A) Stipulated | | |
| 12 | | Email from Susan Cohen | | Supulated | | |
| 13 | | to Loren Cohen RE: CWS Capital Partners: | | | | |
| 14 | 853 | New Documents Available - Your | | (CV) | | |
| 15 | | Quarterly Property Reports, with | | Stipulated (S&A) | | |
| 16 | | attachments | | Stipulated | | |
| 17 | | Email from Mike Cohen to Loren Cohen, Susan | | | | |
| 18 | 854 | Cohen RE: CWS Capital Partners: New | | (CV) | | |
| 19 | | Documents Available - | | Stipulated | | |
| 20 | | Your Quarterly Property Reports | | (S&A) Stipulated | | |
| 21 | | Email from Loren Cohen to Susan Cohen RE: | | | | |
| 22 | 855 | CWS Capital Partners: New Documents | | (CV) | | |
| 23 | 033 | Available - Your | | Stipulated | | |
| 24 | | Quarterly Property Reports | | (S&A) Stipulated | | |
| 25 | | Email from Susan Cohen | | | | |
| 26 | 856 | to Loren Cohen re: revised successor | | (CV) Stipulated | | |

| ı | | DEFENDANT'S EXHIBITS | | | | |
|----------|-------|---|--------------|-------------------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | agreement 10/12/2020, with attachments | | (S&A) Stipulated | | |
| 5 | | Email from Loren Cohen to Susan Cohen, Mike Cohen RE: revised | | (CV) | | |
| 7 | 857 | successor agreement 10/12/2020, with | | Stipulated (S&A) | | |
| 8 9 | | attachment Email from Mike cohen to Susan Cohen, Loren | | Stipulated | | |
| 0 | 858 | Cohen re: Please DocuSign: FINAL MAC | | (CV) | | |
| 1 2 | | SUCCESSOR TRUSTEE AGREEMENT | | (CV) Stipulated (S&A) | | |
| 3 | | 10.13.2020.pdf Email from Loren Cohen | | Stipulated | | |
| 14 | 0.50 | to Mike Cohen, Susan Cohen RE: Please DocuSign: FINAL MAC | | | | |
| 15 16 | 859 | SUCCESSOR TRUSTEE | | (CV) Stipulated | | |
| 17 | | AGREEMENT 10.13.2020.pdf Email from Mike Cohen | | (S&A) Stipulated | | |
| .8 | | to Loren Cohen, Susan Cohen RE: Please | | | | |
| 20 | 860 | DocuSign: FINAL MAC SUCCESSOR TRUSTEE | | (CV) Stipulated | | |
| 21 | | AGREEMENT 10.13.2020.pdf | | (S&A) Stipulated | | |
| 22 23 | | Email from Loren Cohen to Mike Cohen, Susan Cohen RE: Please | | | | |
| 24 | 861 | DocuSign: FINAL MAC SUCCESSOR | | (CV) | | |
| 5 | | TRUSTEE AGREEMENT | | Stipulated (S&A) | | |
| - | | 10.13.2020.pdf | | Stipulated | <u> </u> | <u> </u> |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|---|--------------|-----------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | | | |
| 4 | | to Loren Cohen, Susan Cohen RE: Please | | | | |
| 5 | 862 | DocuSign: FINAL MAC SUCCESSOR | | (CV) | | |
| 6 | | TRUSTEE AGREEMENT | | Stipulated (S&A) | | |
| 7 | | 10.13.2020.pdf | | Stipulated | | |
| 8 | | Email from Susan Cohen to Karyn Marie Brandt, Mike Cohen, Loren | | | | |
| 9 | | Cohen, Spence | | | | |
| 10 | 863 | Maryanne re: Closing sale of house and | | (CV) | | |
| 11 | | successor trust | | Stipulated | | |
| 12 | | agreement, with attachment | | (S&A) Stipulated | | |
| 13 | | Email from Mike Cohen | | (CV) | | |
| 14 | 864 | to Susan Cohen re: FINAL 4 ESTATE | | Stipulated (S&A) | | |
| 15 | | DOCS, with attachments Email from Susan Cohen | | Stipulated | | |
| 16 | 0.65 | to Loren Cohen, Kyle Johnson, Mike Cohen re: | | (CV) | | |
| 17 | 865 | Finishing up Estate Documents (From | | Stipulated (S&A) | | |
| 18 | | Mike), with attachments | | Stipulated | | |
| 19 | | Email from Loren Cohen to Susan Cohen, Kyle | | | | |
| 20 | 866 | Johnson, Mike Cohen RE: Finishing up Estate | | (CV) Stipulated | | |
| 21 | | Documents (From Mike), with attachments | | (S&A) Stipulated | | |
| 22 | | Email from Kyle | | 1 | | |
| 23 | 967 | Johnson to Loren Cohen, Susan Cohen, Mike | | (CV) | | |
| 24 | 867 | Cohen Re: Finishing up Estate Documents (From | | Stipulated (S&A) | | |
| 25 | | Mike) | | Stipulated | | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|--------------|-----------------------|-----------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Susan Cohen | | | | |
| 4 | 868 | to Kyle Johnson, Loren Cohen Re: Finishing up | | (CV) Stipulated | | |
| 5 | | Estate Documents (From Mike) | | (S&A) Stipulated | | |
| 6 | | Email from Loren Cohen | | Supulated | | |
| | | to Kyle Johnson, Mike | | (CV) | | |
| 7 | 869 | Cohen RE: Finishing up | | Stipulated | | |
| 8 | | Estate Documents (From | | (S&A) | | |
| 0 | | Mike), with attachments | | Stipulated | | |
| 9 | | Email from Kyle | | (CV) | | |
| | 870 | Johnson to Loren Cohen, | | Stipulated | | |
| 10 | | Michael Cohen re: Mike | | (S&A) | | |
| 11 | | Will, with attachment | | Stipulated | | |
| 11 | | Email from Loren Cohen | | (CV) Stipulated | | |
| 12 | 871 | to Kyle Johnson, Mike | | (S&A) | | |
| | | Cohen Re: Mike Will | | Stipulated | | |
| 13 | | Email from Kyle | | Supulated | | |
| 14 | | Johnson to Loren Cohen | | | | |
| | 072 | re: Sorry for mistake. | | (CV) | | |
| 15 | 872 | Am watching football | | Stipulated | | |
| 16 | | and drinking wine, with | | (S&A) | | |
| 10 | | attachment | | Stipulated | | |
| 17 | | Email from Susan Cohen | | (CV) | | |
| | 873 | to Loren Cohen re: | | Stipulated | | |
| 18 | 673 | Mike's estate documents, | | (S&A) | | |
| 19 | | with attachment | | Stipulated | | |
| 19 | | Email from Mike Cohen | | 4 | | |
| 20 | | to Loren Cohen, Kyle | | (CV) | | |
| | 874 | Johnson RE: Finishing | | Stipulated | | |
| 21 | | up Estate Documents | | (S&A) | | |
| 22 | | (From Mike) | | Stipulated | | |
| 22 | | Email from Kyle | | (CV) | | |
| 23 | 875 | Johnson to Mike Cohen, Loren Cohen Re: | | (CV) | | |
| . | 6/3 | Finishing up Estate | | Stipulated (S&A) | | |
| 24 | | Documents (From Mike) | | Stipulated | | |
| 25 | | | | Supulated | <u> </u> | 1 |
| 23 | 876 | Email from Loren Cohen to Kyle Johnson, Mike | | (CV) | | |
| 26 | | Cohen RE: Finishing up | | Stipulated | | |
| | | Cohen R.L. Philishing up | | Supulated | | 1 |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|--------------|-------------------------------------|-----------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Estate Documents (From Mike), with attachment | | (S&A) Stipulated | | |
| | Email from Susan Cohen to Loren Cohen RE: | | | | |
| 877 | CWS Capital Partners: New Documents Available - Your | | (CV) Stipulated | | |
| | Quarterly Property Reports | | (S&A) Stipulated | | |
| | Email from Loren Cohen to Susan Cohen RE: CWS Capital Partners: | | | | |
| 878 | New Documents Available - Your | | (CV) Stipulated | | |
| | Quarterly Property Reports | | (S&A) Stipulated | | |
| | Email from Loren Cohen to Jim Scherbinske, Mike Cohen re: | | (CV) | | |
| 879 | accounting for Cohen Buy-Out Agreement, | | Stipulated (S&A) | | |
| | with attachments Email from Loren Cohen | | Stipulated | | |
| 880 | to Susan Cohen, Mike Cohen RE: CWS Capital Partners, with | | (CV) Stipulated (S&A) | | |
| | attachments Email from Mike Cohen | | Stipulated | | |
| 881 | to Loren Cohen, Jim Scherbinske Re: | | (CV) Stipulated | | |
| | accounting for Cohen Buy-Out Agreement | | (S&A) Stipulated (CV) | | |
| 882 | Email from Susan Cohen to Loren Cohen RE: | | Stipulated (S&A) | | |
| | CWS Capital Partners Email from Mike Cohen | | Stipulated (CV) | | |
| 883 | to Loren Cohen, Susan Cohen Re: Mexico MOU | | Stipulated (S&A) Stipulated | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|---|-------|---|-----------------------|-------------------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | (CV) | | |
| 4 | 884 | to Loren Cohen, Susan Cohen Re: CWS Agreement | | Stipulated (S&A) Stipulated | | |
| 5 | | Email from Loren Cohen | | Supulated | | |
| 7 | 885 | to Susan Cohen, Kyle Johnson RE: | | (CV) Stipulated | | |
| | | agreements, with attachments | | (S&A) Stipulated | | |
| | 886 | Email from Susan Cohen | | (CV) Stipulated | | |
| | | to Kyle Johnson, Loren Cohen Re: agreements | | (S&A) Stipulated | | |
| | | | | | (CV) ER 402, 403, | |
| | 007 | | | | 801, 802, 901, 902 | |
| | 887 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | to Brian Williams Re: Market awnings | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| ı | | | | | (CV) ER 402, 403, | |
| ı | | | | | 801, 802, 901, 902 | |
| | 888 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | to Tracy Medina, Matt Cyr Re: Monthly | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Statement of Account | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 889 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | | to James Weymouth Re: Rebecca Bloom - | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| | | Columbia Pacific | Disputed | Disputed | 901, 902 | |
| | 000 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (CV) ER 402, 403, | |
| | 890 | to Jim Scherbinske Re: Building 7 Draw | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. | Description | Authenticity | Admissibility | Objection | Admitt |
| | | | | (S&A) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 001 | | | | 901, 902 | |
| 891 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Kayley Cole Re: The | (S&A) | (S&A) | 801, 802, | |
| | Market | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 892 | to Jim Scherbinske. | | | 901, 902 | |
| | Hayley Cole, Yuchun Santory, Kareen Seerley, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Loren Cohen from Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | Olympia lighting bldg 7 | Disputed | Disputed | 901, 902 | |
| | orympia ngiang orag / | Bisparea | Dispute | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 893 | to Yuchun Santory, Jim | | | 901 (S&A) | |
| | Scherbinske Re: | (CV) Disputed | (CV) Disputed | ER 402, 403, | |
| | BOWERS | (S&A) | (S&A) | 801, 802, | |
| | CONSTRUCTION | Disputed | Disputed | 901 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 894 | Email from Mike Cohen | | | 802, 901, 902 (S&A) | |
| 094 | to Jim Scherbisnske Re: | (CV) Disputed | (CV) Disputed | ER 402, 403, | |
| | BOWERS | (CV) Disputed | (CV) Disputed | 802, 901, | |
| | CONSTRUCTION | Disputed | Disputed | 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Keri Holland, Lee | | | 402, 403, | |
| 895 | Cohen, Loren Cohen, | | | 801, 802, | |
| 093 | Pisey Nhek, Octavio | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | Muro-Lamas, Hayley | (S&A) | (S&A) | (S&A) ER | |
| | Cole Re: Broken Mosiac | Disputed | Disputed | 402, 403, | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitte |
| | tile between Copperline & Baker | | | 801, 802, 901, 902 | |
| 896 | Email from Mike Cohen to Loren Cohen Fwd: Broken Mosiac tile between Copperline & Baker | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 (S&A) ER 402, 403, 801, 802, 901, 902 | |
| 897 | Email from Mike Cohen to Buster Baba Re: New sculpture | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 (S&A) ER 402, 403, 801, 802, 901, 902 | |
| 898 | Email from Mike Cohen to Jennifer Andlovec Re: July Draw Check? | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 (S&A) ER 402, 403, 801, 802, 901, 902 | |
| 899 | Email from Mike Cohen to Robert Fredrick, Alex Wardi, Michael Foley Re: Point Ruston Store Equipment | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 900 | Email from Mike Cohen to Jim Scherbinske, Halyley Cole Re: Olympia lighting bldg 7 | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 (S&A) ER 402, 403, | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-----|---|------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 801, 802, | |
| 4 | | | | | 901, 902 | |
| 5 | | | | | (611) ED | |
| 6 | | | | | (CV) ER 402, 403, | |
| 7 | | E Miles Celes | | | 801, 802, | |
| 8 | 901 | Email from Mike Cohen to Jim Scherbinske, | | | 901, 902 (S&A) ER | |
| | | Hayley Cole Fwd: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 9 | | Recessing Lighting in the Rainier Condos | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 10 | | Email from Mike Cohen | | | (CV) ER | |
| 11 | | to Octavio Muro-Lamas, Keri Holland, Lee | | | 402, 403, 801, 802, | |
| 12 | 902 | Cohen, Loren Cohen, | | | 901, 902 | |
| | 902 | Pisey Nhek, Hayley Cole Re: Broken Mosiac | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 13 | | tile between Copperline | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 14 | | & Baker | Disputed | Disputed | 901, 902 | |
| 15 | | | | | (CV) ER 402, 403, | |
| 16 | | - 10 15 61 | | | 801, 802, | |
| 17 | 903 | Email from Mike Cohen to Russ Wickett, Hayley | | | 901, 902 (S&A) ER | |
| | | Cole Re: Mason lot 3 | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 18 | | Blueberry proposal, budget and plans | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 19 | | ouaget and plans | Disputed | Disputed | (CV) ER | |
| 20 | | | | | 402, 403, 801, 802, | |
| 21 | 904 | Email from Mike Cohen | | | 901, 902 | |
| 22 | 904 | to Jim Scherbinske, | (CA) D: 4 1 | (CIV) D: 4 1 | (S&A) ER | |
| | | Kareen Seerley, Hayley Cole Re: Lot 11 | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 23 | | Marketplace | Disputed | Disputed | 901, 902 | |
| 24 | | Email from Mike Cohen to Russ Wickett, Hayley | | | (CV) ER 402, 403, | |
| 25 | 905 | Cole Re: Mason lot 3 | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 26 | | Blueberry proposal, budget and plans | (S&A) Disputed | (S&A) Disputed | 901, 902 (S&A) ER | |
| | | oduget and plans | Disputed | Disputed | (SCA) ER | |

| ription | Authenticity | Admissibility | Objection | Admitt |
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| | | | | Aumitt |
| | | | 402, 403, | |
| | | | 801, 802, | |
| | | | 901, 902 | |
| | | | (CV) ER | |
| | | | 402, 403, | |
| | | | 801, 802, | |
| | | | 901, 902 | |
| il from Mike Cohen | (CII) D: (1 | (CIV) D: 1 | (S&A) ER | |
| uchun Santory Re: NG AT PARKING | (CV) Disputed | (CV) Disputed | 402, 403, | |
| AGE.pdf | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| слов.рш | Disputed | Disputed | (CV) ER | |
| | | | 402, 403, | |
| | | | 801, 802, | |
| | | | 901, 902 | |
| | | | (S&A) ER | |
| il from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| rian WilliamsRe: | (S&A) | (S&A) | 801, 802, | |
| Van | Disputed | Disputed | 901, 902 | |
| | | | (CV) ER | |
| | | | 402, 403, | |
| | | | 801, 802, | |
| | | | 901, 902 | |
| il from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| rian WilliamsRe: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| Van | Disputed | Disputed | 901, 902 | |
| | 2 Ispaired | 2 ispared | (CV) ER | |
| | | | 402, 403, | |
| | | | 801, 802, | |
| | | | 901, 902 | |
| il from Mike Cohen | | | (S&A) ER | |
| uchun Santory Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| NG AT PARKING | (S&A) | (S&A) | 801, 802, | |
| AGE.pdf | Disputed | Disputed | - | |
| 11 from M1 10 1 | | | · / | |
| | (CV) Dit- 1 | (CV) D: | | |
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| 2 | 1 3 | | * · · · · · · · · · · · · · · · · · · · | |
| il | NG AT PARKING | NG AT PARKING AGE.pdf I from Mike Cohen Scherbinske, un SantoryRe: Lot (S&A) Disputed (CV) Disputed (S&A) | NG AT PARKING (S&A) (S&A) Disputed Disputed Disputed CV) Disputed (CV) Disputed (S&A) (S&A) | (S&A) (S&A |

| ı | | DEFENDANT'S EXHIBITS | | | | |
|------|-----|---|-------------------------|------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| , | π | | | | 402, 403, | |
| . | | | | | 801, 802, 901, 902 | |
| | | | | | | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 911 | | | | 901, 902 (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| $\ $ | | to Brian Williams Re: | (S&A) | (S&A) | 801, 802, | |
| | | MC Van | Disputed | Disputed | 901, 902 | |
| $\ $ | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 012 | Email from Mike Cohen | | | 901, 902 | |
| | 912 | to Russ Wickett, Hayley | | | (S&A) ER | |
| II | | Cole Re: Mason lot 3 | (CV) Disputed | (CV) Disputed | 402, 403, | |
| l | | Blueberry proposal, budget and plans | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| l | | odaget and plans | Disputed | Disputed | (CV) ER | |
| l | | | | | 402, 403, | |
| l | 913 | Email from Mike Cohen | (CV) D' | (CV) D: | 901, 902 | |
| l | | to Jim Scherbinske Hayley Cole Re: Point | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Ruston Payables | Disputed | Disputed | 901, 902 | |
| l | | Email from Mike Cohen | | | (CV) ER | |
| l | | to Loren Cohen Fwd: | | | 402, 403, | |
| l | 914 | Amtrak: eTicket and Receipt for Your | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | 08/10/2020 Trip - | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | COHEN Party | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| l | | | | | 402, 403, 801, 802, | |
| l | | | | | 901, 902 | |
| | 915 | Email from Mike Cohen | | | (S&A) ER | |
| ١ | | to Robert Fredrick Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Grocery Store Equipment | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | Ledenhinent | Disharea | Disputed | 501, 502 | <u> </u> |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 916 | | | | 901, 902 | |
| 3 | 910 | Email from Mike Cohen | | | (S&A) ER | |
| 6 | | to Hayley Cole, Robert Fredrick Fwd: #510 | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | offer cover sheet | Disputed | Disputed | 901, 902 | |
| 8 | | | • | • | (CV) ER | |
| 0 | | | | | 402, 403, | |
| 9 | | | | | 801, 802, 901, 902 | |
| 10 | 917 | | | | (S&A) ER | |
| ,, | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 11 | | to Margo Hassklein Re: #510 offer cover sheet | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 12 | | #310 OHCI COVCI SHCCI | Disputed | Disputed | (CV) ER | |
| 13 | | Email from Mike Cohen | | | 402, 403, | |
| | | to Loren Cohen, Dennis | | | 801, 802, | |
| 14 | 918 | Greenwalt, Yuchun Santory Re: Signature | | | 901, 902 (S&A) ER | |
| 15 | | requested on Agreement | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 16 | | Document from | (S&A) | (S&A) | 801, 802, | |
| | | CenturyLink"" Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 17 | | to Deirdre Kurian, | | | | |
| 18 | | Amara Foster Re: | | | (| |
| 19 | 919 | Information on your Whitefish Trip | | | (CV) ER 402, 403, | |
| | 1 919 | Modifications: Amtrak: | | | 901, 902 | |
| 20 | | eTicket for Your | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 21 | | 08/17/2020 Trip - | (S&A) | (S&A) | 402, 403, | |
| 22 | | COHEN Party | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| 23 | | | | | 801, 802, | |
| 24 | 920 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 25 | | to Robert Fredrick, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Hayley Cole Re: Unit | (S&A) | (S&A) | 801, 802, | |
| 26 | | 510 ADA revision | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 921 | Email from Mike Cohen | | | (S&A) ER | |
| | to Margo Hassklein | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Fwd: Unit 510 ADA | (S&A) | (S&A) | 801, 802, | |
| | revision | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 000 | Email from Mike Cohen | | | 901, 902 | |
| 922 | to Yuchun Santory, Bart | | | (S&A) ER | |
| | JonesRe: SIDING AT | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | PARKING | (S&A) | (S&A) | 801, 802, | |
| | GARAGE.pdf | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 901, 902 | |
| 923 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Loren Cohen Fwd: | (S&A) | (S&A) | 402, 403, | |
| | Rainier Building | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 924 | to James L. Weymouth, Jim Korbein, Loren | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | Cohen Re: Rainier | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Building | Disputed | Disputed | 901, 902 | |
| | Ĭ | • | • | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 925 | to Yuchun Santory, Bart | (017) | (OTD T | 901, 902 | |
| | Jones Re: SIDING AT | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | PARKING GARAGE.pdf | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | OAKAOL.pui | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 026 | | | | 901, 902 | |
| 926 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Jim Scherbisnke Fwd: | (S&A) | (S&A) | 402, 403, | |
| d | Balances Bldg 11 lien | Disputed | Disputed | 901, 902 | 1 |

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|-----|----------|--|-----------------------|-----------------------|------------------------------------|----------|
| 1 | | EXHIBITS | | | | |
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 4 | | Email from Mike Cohen to Amanda Johnson, | | | (CV) ER 402, 403, 801, 802, | |
| 5 | 927 | Margo Hassklein, | | | 901, 902 | |
| 6 | | Hayley Cole, Robert Fredrick Re: Rainier 510 Amendment ADA | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, 801, 802, | |
| 7 | | Bathroom | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 9 | 928 | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 10 | | to Stacy Carkonen, Michael Foley, Hayley | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 11 | | Cole Re: Wine Barrels in Magnusson | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 12 | | | | | (CV) ER 402, 403, | |
| 14 | 929 | Email from Mike Cohen to Brian Williams, Loren | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 15 | | Cohen Re: Rainier Video | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 16 | | | , | , | (CV) ER 402, 403, | |
| 17 | | | | | 801, 802, 901, 902 | |
| 18 | 930 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 19 | | to Yuchun Santory, Hayley Cole, Bart Jones | (S&A) | (S&A) | 801, 802, | |
| 20 | | Re: Only Oatmeal | Disputed | Disputed | 901, 902 (CV) ER | |
| 21 | | | | | 402, 403, 801, 802, | |
| 22 | 931 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 23 | | to Yuchun Santory, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 24 | | Hayley Cole, Bart Jones Grocery | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 25 | | | | | | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

| | | DEFENDANT'S EXHIBITS | | | | |
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| 11 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| $\ \cdot \ $ | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 932 | | | | 901, 902 | |
| | 932 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Angie Lukecart Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Building 7 Daily Logs for 08.06.20 | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| ŀ | | 101 00.00.20 | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 802, 802, | |
| | 933 | Email from Miles Colon | | | 901, 902 | |
| | | Email from Mike Cohen to Hayley Cole Fwd: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Building 7 Daily Logs | (CV) Disputed | (CV) Disputed | 802, 802, | |
| | | for 08.06.20 | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| | 934 | to Angie Lukecart, Bill | | | (S&A) ER | |
| | | Felker, Hayley Cole Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Building 7 Daily Logs | (S&A) | (S&A) | 801, 802, | |
| _ | | for 08.06.20 | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 025 | Email from Mike Cohen | | | 901, 902 | |
| | 935 | to Jennifer Andlovec, | | | (S&A) ER | |
| | | Hayley Cole Re: checks | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to be signed - please | (S&A) Disputed | (S&A) | 801, 802, | |
| \vdash | | approve | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 936 | | | | 901, 902 | |
| | | Email from Mike Cohen | (CV) Di | (CV) Diamente d | (S&A) ER | |
| | | to Angie Lukecart Re: Building 7 Daily Logs | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | for 08.06.20 | Disputed | Disputed | 901, 902 | |
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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|---------------------------------|-------|--|--------------------------|--------------------------|------------------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 4 | | | | | (CV) ER 402, 403, 801, 802, | |
| 5 | 937 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 6 | | to Jennifer Andlovec Re: checks to be signed - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 8 | | please approve | Disputed | Disputed | 901, 902 (CV) ER 402, 403, | |
| 9 | 938 | | | | 801, 802, 901, 902 | |
| 10 11 | | Email from Mike Cohen to Yuchun Santory, Hayley Cole, Bart Jones | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, 801, 802, | |
| 12 | | Re: Only Oatmeal | Disputed | Disputed | 901, 902 (CV) ER | |
| 13 | | | | | 402, 403, 801, 802, 901, 902 | |
| 14 15 | 939 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 16 | | to Hayley Cole Re: office window coverings | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 17 18 | | Email from Mike Cohen to Jennifer Andlovec FW: Conference call | | | (CV) ER 402, 403, 901, 902 | |
| 19 | 940 | Mike, Hayley and Jim re: Rainier upgrade & | (CV) Disputed (S&A) | (S&A) | (S&A) ER 402, 403, | |
| 20 | | c.o. payments | Disputed | Disputed | 901, 902 (CV) ER 402, 403, | |
| 21 22 | 941 | Email from Mike Cohen to Jim Scherbinske, | | | 801, 802, 901, 902 | |
| 23 | 741 | Hayley Cole Conference call Mike, Hayley and | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 2425 | | Jim re: Rainier upgrade & c.o. payments | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |

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| | | DEFENDANT'S EXHIBITS | | | | |
|---|------|-------------------------|---------------|---------------|------------------------|----------|
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 0.40 | | | | 901, 902 | |
| | 942 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Russ Wickett Fwd: | (S&A) | (S&A) | 801, 802, | |
| | | Cross Creek | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 943 | | | | 901, 902 | |
| | 943 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| _ | | office window coverings | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 044 | | | | 901, 902 | |
| | 944 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Hayley Cole Re: pets | (S&A) | (S&A) | 801, 802, | |
| _ | | at the new office | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 045 | | | | 901, 902 | |
| | 945 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| F | | Office partitions | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 046 | | | | 901, 902 | |
| | 946 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Tracy Medina Fwd: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Your card was shipped | (S&A) | (S&A) | 801, 802, | |
| | | on August 11 | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-------------|-------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| ₊ | | | | | 402, 403, 801, 802, | |
| , | 947 | | | | 901, 902 | |
| ' | 947 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Hayley Cole, Tracy Medina Re: MCCI | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Checks for Signature | Disputed | Disputed | 901, 902 | |
| \parallel | | | • | | (CV) ER | |
| II | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| | 948 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Hayley Cole Re: pets at the new office | (S&A) Disputed | (S&A) | 801, 802, 901, 902 | |
| \parallel | | at the new office | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | F 76 M7 61 | | | 801, 802, | |
| | 949 | Email from Mike Cohen to Tom Blakenship Re: | | | 901, 902 (S&A) ER | |
| | | Pierce Transit Letter | (CV) Disputed | (CV) Disputed | 402, 403, | |
| \parallel | | Follow Up; Meeting 24- | (S&A) | (S&A) | 801, 802, | |
| | | 27th? | Disputed | Disputed | 901, 902 | |
| II | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| \parallel | 950 | | | | 901, 902 | |
| \parallel | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | to Hayley Cole Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | Office partitions | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 951 | | | | 901, 902 | |
| | 931 | | (222) 21 | (573.5) | (S&A) ER | |
| | | Email from Mike Cohen to Jim Scherbinske Fwd: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | MONEY | Disputed | Disputed | 901, 902, | |
| | | 1 | | | , | |

| | | I | | | | |
|----|----------|---|---------------|---------------|------------------------|----------|
| 1 | | DEFENDANT'S | | | | |
| | T7 | EXHIBITS | A414: -:4 | A J | Objection | A J |
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, | |
| 4 | | E 16 MI CI | | | 801, 802, | |
| 5 | 952 | Email from Mike Cohen | | | 901, 902 | |
| | | to Hayley Cole, Michael Foley Re: Magnuson | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 6 | | Equipment Bill of Sale | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 7 | | for signature | Disputed | Disputed | 901, 902 | |
| | | | • | • | (CV) ER | |
| 8 | | | | | 402, 403, | |
| 9 | 953 | Email from Mike Cohen | | | 901, 902 | |
| | | to Kareen Seerley, Jim | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 10 | | Scherbinske Re: | (S&A) | (S&A) | 402, 403, | |
| 11 | | MONEY | Disputed | Disputed | 901, 902 (CV) ER | |
| ** | | | | | 402, 403, | |
| 12 | | | | | 801, 802, | |
| 13 | | | | | 901, 902 | |
| 13 | 954 | | | | (S&A) ER | |
| 14 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Kareen Seerley Re: | (S&A) | (S&A) | 801, 802, | |
| 15 | | MONEY | Disputed | Disputed | 901, 902 | |
| 16 | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| 17 | | | | | 901, 902 | |
| 18 | 955 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Hayley Cole, Eric | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 19 | | Raygoza Safloks at | (S&A) | (S&A) | 801, 802, | |
| 20 | | current office | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| 21 | | | | | 402, 403, | |
| 22 | | | | | 801, 802, 901, 902 | |
| | 956 | Email from Mike Cohen | | | (S&A) ER | |
| 23 | | to Yuchun Santory | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 24 | | Fwd:release of SC | (S&A) | (S&A) | 801, 802, | |
| | | retention | Disputed | Disputed | 901, 902 | |
| 25 | | | | | | |

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| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|---------------------|---------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| 0.55 | Email from Mike Cohen | | | 901, 902 | |
| 957 | to Bart Jones, Stacy | | | (S&A) ER | |
| | Carkonen, Hayley Cole, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Brian Status upstairs | (S&A) | (S&A) | 801, 802, | |
| | market TCO? | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 958 | | | | 901, 902 | |
| 936 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| | Safloks at current office | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 959 | Email from Mike Cohen | | | 901, 902 | |
| 939 | to Jennifer Andlovec, | | | (S&A) ER | |
| | Hayley Cole Re: checks | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to be stamped - please | (S&A) | (S&A) | 801, 802, | |
| | approve | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 960 | | | | 901, 902 | |
| 700 | D 110 251 25 | (077) 73 | (077) 73 | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Russ Wickett, Hayley Cole Re: Nisqually Bluff | (S&A) Disputed | (S&A) | 801, 802, 901, 902 | |
| | Cole Re. Ivisqually Dittl | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 961 | Email from Mike Cohen | | | 901, 902 | |
| 701 | to Robert Fredrick, | | | (S&A) ER | |
| | Amanda Johnson Design | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | meeting with ADA co N do buyer | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | do ouyei | Disputed | Disputed | 701, 702 | <u> </u> |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|------|--|-------------------|---------------------|------------------------|----------|
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 962 | Email from Mike Cohen | | | 901, 902 | |
| | 962 | to Robert Fredrick, | | | (S&A) ER | |
| | | Amanda Johnson Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Design meeting with ADA co N do buyer | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | Email from Mike Cohen | Disputed | Disputed | (CV) ER | |
| | | to Jim Scherbinske, | | | 402, 403, | |
| | 963 | Penny Harp, Travis | (077) 71 | (27.7.7. | 901, 902 | |
| | | Harp, Kareen Seerley, Julie Ysebaert Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | MONEY | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | Email from Mike Cohen | 2 ispaica | Bisparea | (CV) ER | |
| | | to Deirdre Kurian Re: | | | 402, 403, | |
| | | Information on your | | | 801, 802, | |
| | 964 | Whitefish Trip Modifications: COHEN | | | 901, 902 (S&A) ER | |
| | | Party - Monday, August | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | 31st - Sunday, | (S&A) | (S&A) | 801, 802, | |
| | | September 6th | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | | |
| | | to Amara Foster Fwd: Information on your | | | (CV) ER | |
| | 0.55 | Whitefish Trip | | | 402, 403, | |
| | 965 | Modifications: COHEN | | | 901, 902 | |
| | | Party - Monday, August | (CV) Disputed | , , _ | (S&A) ER | |
| | | 31st - Sunday, | (S&A) | (S&A) | 402, 403, 901, 902 | |
| | | September 6th | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 966 | E 16 M1 61 | | | 901, 902 | |
| | | Email from Mike Cohen to Robert Fredrick Re: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | review grocery store | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | equipment list | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (CV) ER | |
| l | 967 | to James L. Weymouth, | (S&A) | (S&A) | 402, 403, | |
| | | Jim Korbein, Loren | Disputed | Disputed | 901, 902 | |

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| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|---------------------|------------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Cohen Re: Rainier | | | (S&A) ER | |
| | Building | | | 402, 403, 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 968 | Email from Mike Cohen | | | 901, 902 | |
| 700 | to Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen Re: work from home | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | nome | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 969 | Email from Mike Cohen | (070 0) | (077) 73 | 901, 902 | |
| | to Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen, Tracy Medina Re: work from home | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | re: work from home | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 970 | | | | 901, 902 | |
| | Email from Mike Cohen to Jim Scherbinske | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Status Edward Jones | Disputed | Disputed | 901, 902 | |
| | Status Daward Voiles | Disputed | Bisparea | (CV) ER | |
| | | | | 402, 403, | |
| 971 | Email from Mike Cohen | (CID D: 1 | (CID D: 1 | 901, 902 | |
| | to Jim Scherbinske, Loren Cohen Re: Status | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Edward Jones | Disputed | Disputed | 901, 902 | |
| | | 1 | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 972 | | | | 901, 902 (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Kareen SeerleyStatus | (S&A) | (S&A) | 801, 802, | |
| | DM KELLY? | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 073 | to Lee Cohen, Kyle | | | 901, 902 | |
| 973 | JohnsonFwd: Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Transfer Agreement | (S&A) | (S&A) | 402, 403, | |
| | 8/20 | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|---------------------|-------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| | 074 | | | | 901, 902 | |
| 5 | 974 | | | | (S&A) ER | |
| 6 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 7 | | to Hayley Cole Pls call Kelly | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | Keny | Disputed | Disputed | (CV) ER | |
| 8 | | | | | 402, 403, | |
| 9 | | E 76 M7 61 | | | 801, 802, | |
| 10 | 975 | Email from Mike Cohen to Russ Wickett, Tracy | | | 901, 902 (S&A) ER | |
| 10 | | Medina, Hayley Cole | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 11 | | Re: Molitor | (S&A) | (S&A) | 801, 802, | |
| 12 | | Authorization | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| 13 | 076 | Email from Mike Cohen | | | 901, 902 | |
| 14 | 976 | to Jerry Korum, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 15 | | Cohen River Road - | (S&A) | (S&A) | 402, 403, | |
| 13 | | Point Ruston | Disputed | Disputed | 901, 902 (CV) ER | |
| 16 | | | | | 402, 403, | |
| 17 | 977 | Email from Mike Cohen | | | 901, 902 | |
| | 911 | to Loren Cohen, Denny | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 18 | | Eliason Re: Waterwalk | (S&A) | (S&A) | 402, 403, | |
| 19 | | evangelicals | Disputed | Disputed | 901, 902 (CV) ER | |
| 20 | | | | | 402, 403, | |
| 20 | | | | | 801, 802, | |
| 21 | 978 | E IC MI CI | | | 901, 902 | |
| 22 | | Email from Mike Cohen to Vanessa Ray GTH - | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Statute of Limitations | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 23 | | Expiration (Malpractice) | Disputed | Disputed | 901, 902 | |
| 24 | | Email from Mike Cohen | | | (CV) ED | |
| 25 | 979 | to Michael Foley, Loren Cohen, Stacy Carkonen, | (CV) Disputed | (CV) Disputed | (CV) ER 402, 403, | |
| | | Yuchun Santory, Robert | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 26 | | Fredrick Re: Summary | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|---------------|---------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | of meeting with Alex | | | 402, 403, | |
| | Wardi today | | | 901, 902 | |
| | | | | | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | to Tracy Medina, Loren | | | 901, 902 | |
| 980 | Cohen, Hayley Cole, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Russ WickettRe: | (S&A) | (S&A) | 402, 403, | |
| | Property in Question | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 001 | to Loren Cohen, Hayley | | | 901, 902 | |
| 981 | Cole, Jim Scherbinske | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Fwd: Point Ruston | (S&A) | (S&A) | 402, 403, | |
| | Market | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 002 | Email from Mike Cohen | | | 901, 902 | |
| 982 | to Loren Cohen, Hayley | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cole Re: Premiere | (S&A) | (S&A) | 402, 403, | |
| | mortgage | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 983 | | | | 901, 902 | |
| 703 | F16 | (CIV) D: | (CIV) D: 4 1 | (S&A) ER | |
| | Email from Mike Cohen to Jennifer Andlovec Re: | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| | checks to be signed | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | , | |
| | to Kareen Seerley, Jim | | | (CV) ER | |
| 094 | Scherbisnke, Melissa | | | 402, 403, | |
| 984 | Edwards, Tracy Medina, Loren Cohen Re: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | Edwards Jones TI | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | payment | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| 985 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Russ Wickett Dr. JASON WANG | (S&A) | (S&A) | 801, 802, 901, 902 | |
| | JASON WANG | Disputed | Disputed | 701, 902 | 1 |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|---------------------------------------|---------------|---------------|-----------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitt |
| # | | | | (S&A) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 986 | | | | 901, 902 | |
| 700 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole Re: point | (S&A) | (S&A) | 801, 802, | |
| | ruston market | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 987 | Email from Mike Cohen | | | (S&A) ER | |
| | to Hayley Cole Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Public Market upper | (S&A) | (S&A) | 801, 802, | |
| | floor | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 988 | | | | 901, 902 | |
| , , , | | (orn p: 1 | (GIN D: 1 | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Russ Wickett Re: Dr. JASON WANG | (S&A) | (S&A) | 801, 802, | |
| | JASON WANG | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| 989 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Hayley Cole, Loren | (S&A) | (S&A) | 402, 403, | |
| | Cohen Re: Grocer | Disputed | Disputed | 901, 902 | <u>L</u> |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Jim Scherbinske, | | | 402, 403, | |
| 990 | Melissa Edwards, Rod | | | 901, 902 | |
| 770 | McCarten, Kareen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Seerley, Loren Cohen | (S&A) | (S&A) | 402, 403, | |
| | Re: SCP Statement of | Disputed | Disputed | 901, 902 | <u> </u> |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|------------------------|--------------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Customer Account Position | | | | |
| | 1 00211012 | | | | |
| | Email from Mike Cohen | | | | |
| | to Tracy Medina, Jim Scherbinske, Melissa | | | (CV) ER 402, 403, | |
| 991 | Edwards, Kareen | | | 901, 902 | |
| | Seerley, Loren Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Re: Edwards Jones TI payment | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | 1 | • | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 992 | to Tracy Medina Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Edwards Jones TI | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | payment | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen to Deidre KurianFwd: | | | 801, 802, 901, 902 | |
| 993 | CHUBB ALERT - Your | (077) | (| (S&A) ER | |
| | billing statement is available for account | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | 694236XXXXXXX001P | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 994 | to Stacy Carkonen, | | | 901, 902 | |
| | Michael Foley, Hayley Cole Conf call with | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Mike Cohen re: grocery | (S&A) | (S&A) | 801, 802, | |
| | store | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| 995 | Email from Mike Cohen to Loren Cohen, Hayley | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | Cole Re: Premiere | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, | |
| | mortgage | Disputed | Disputed | 901, 902 | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

| | DEFENDANT'S EXHIBITS | | | | |
|------|-------------------------------|-------------------------|-------------------------|------------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 996 | Email from Mike Cohen | | | (S&A) ER | |
| | to Yuchun Santory, Rod | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | McCarten, Hayley Cole | (S&A) | (S&A) | 801, 802, | |
| | Re: Past due invoices | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 007 | to Yuchun Santory, | | | 901, 902 | |
| 997 | Hayley Cole Conference | | | (S&A) ER | |
| | Call Hayley and Yuchun | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | re: market and bldg 7 | (S&A) | (S&A) | 801, 802, | |
| | fintek trim issues | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 998 | to Susan Thomas | | | 901, 902 | |
| 998 | Conference Call Hayley | | | (S&A) ER | |
| | and Yuchun re: market | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | and bldg 7 fintek trim | (S&A) | (S&A) | 801, 802, | |
| | issues | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 999 | to Hayley Cole | | | 901, 902 | |
| | Conference Call Hayley | (CID D: 1 | (CID D: 1 | (S&A) ER | |
| | and Yuchun re: market | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | and bldg 7 fintek trim issues | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | Issues | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1000 | | | | 901, 902 | |
| | | (CV) D: 4 1 | (CV) D: 4 1 | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | to T&B FosterRe: Email | Disputed | Disputed | 901, 902 | |
| | 1 2 | 1 — F | F | , - | 1 |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1001 | | | | 901, 902 | |
| | 1001 | E '16 M'1 G 1 | (CID D: 1 | (CIV D: 1 | (S&A) ER | |
| 6 | | Email from Mike Cohen to Russ WickettRe: Dr. | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | JASON WANG | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| 9 | 1002 | Email from Mike Cohen | | | 901, 902 | |
| 10 | 1002 | to Michael Foley, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 11 | | Hayley ColeRe: invoice for tenant improvements | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 12 | | - Owens Meats | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| 13 | | | | | 402, 403, 801, 802, | |
| 14 | 1003 | | | | 901, 902 | |
| 15 | 1003 | Email from Deirdre Kurian on healf of Mike | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Cohen to Hayley Cole | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 16 | | FW: FW: Bld 6 GenCare | Disputed | Disputed | 901, 902 | |
| 17 | | | | | (CV) ER 402, 403, | |
| 18 | | | | | 801, 802, | |
| | 1004 | Email from Deirdre | | | 901, 902 | |
| 19 | 1007 | Kurian on healf of Mike Cohen to Hayley | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 20 | | ColeFW: FW: building 6 | (CV) Disputed (S&A) | (CV) Disputed | 801, 802, | |
| 21 | | payment | Disputed | Disputed | 901, 902 | |
| 22 | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| 23 | 1005 | Email from Mike Cohen | | | 901, 902 | |
| 24 | 1003 | to Hayley Cole, Yuchun | (CV) Diamete 1 | (CV) Discorts 1 | (S&A) ER | |
| 25 | | Santory, Bill Felker Building 7 conference | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | call | Disputed | Disputed | 901, 902 | |
| 26 | | | | | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|-------------------------|--------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1006 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 6 | | to Susan Thomas Building 7 conference | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | call | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 9 | | | | | 801, 802, | |
| 10 | 1007 | | | | 901, 902 (S&A) ER | |
| 11 | | Email from Mike Cohen to Hayley Cole Building | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 12 | | 7 conference call | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen to Michael Foley, Loren | | | (CV) ER 402, 403, | |
| 13 | 1008 | Cohen, Hayley Cole Re: | | | 901, 902 | |
| 14 | 1000 | * EXTERNAL SENDER * Kobrew Bill | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 15 | | of Sale | Disputed | Disputed | 901, 902 | |
| 16 | | Email from Mike Cohen to Victoria Willing, | | | (CV) ER 402, 403, | |
| 17 | 1009 | Loren Cohen, Lee | (| (| 901, 902 | |
| 18 | | Cohen, Terri Escritor, Stacy Carkonen Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 19 | | Public Market parking | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| 20 | | | | | 801, 802, | |
| 21 | 1010 | | | | 901, 902 (S&A) ER | |
| 22 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 23 | | to Jennifer Andlovec Rainier | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 24 | | Email from Mike Cohen | • | • | (CV) ER | |
| 25 | 1011 | to Deidre Kurian Re: Paid: FW: Your Account | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| 26 | | With Chuck Sullivan | (S&A) | (S&A) | 901, 902 | |
| 20 | | Exterminators | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|-------------------------|------------------------|------------------------|---------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitte |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1012 | E:1 f Mil C-1 | | | 901, 902 | |
| | Email from Mike Cohen to Brian Williams, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Hayley Cole Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | Marketing | Disputed | Disputed | 901, 902 | |
| | Markening | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| 1013 | Email from Mike Cohen | | | (S&A) ER | |
| | to Brian Williams, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| | Marketing | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1014 | | | | 901, 902 | |
| 101. | Email from Mike Cohen | (orn p: 1 | (CTD D: 1 | (S&A) ER | |
| | to Hayley Cole, Russ | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | WickettRe: loan | (S&A) | (S&A) | 801, 802, | |
| | agreement Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) EP | - |
| | to Brian Williams Re: | | | (CV) ER 402, 403, | |
| | TEST: Live The | | | 801, 802, | |
| | Waterfront Dream at | | | 901, 902 | |
| 1015 | Point Ruston - Learn | | | (S&A) ER | |
| | More About Our New | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Village on Main | (S&A) | (S&A) | 801, 802, | |
| | Apartments | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1016 | to Robert Fredrick, | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | Yuchun Santory, Bart | (S&A) | (S&A) | 901, 902 | |
| | Jones Re: demo kitchen | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|------|--|---------------------|---------------------|------------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| # | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| | | | | | |
| | | | | (CV) ER 402, 403, | |
| 1017 | Email from Mike Cohen to Melissa Edwards, Jim | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | Scherbinske Re: Tri Star | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Const. Late Invoices | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| 1010 | | | | 901, 902 | |
| 1018 | Email from Mike Cohen | | | (S&A) ER | |
| | to Hayley Cole Fwd: Tri | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Star Const. Late Invoices | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | , | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1019 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Brian Williams Re: | (S&A) | (S&A) | 801, 802, | |
| | Marketing | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1020 | Email from Mike Cohen | | | 901, 902 (S&A) ED | |
| | to Mike Cohen, Jennifer Andlovec, Hayley Cole | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Re: please approve - | (S&A) | (S&A) | 801, 802, | |
| | checks to be signed | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 1055 | | | | 801, 802, | |
| 1021 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | to Russ Wickett Re: | (S&A) | (S&A) | (S&A) ER | |
| | Stark Power Bill | Disputed | Disputed | 402, 403, | <u> </u> |

| | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|---------------------|------------------------|------------------------|----------|
| ⊪ | Ex. | Description Description | Authenticity | Admissibility | Objection | Admitted |
| Ш | # | | , | | J | |
| | | | | | 801, 802, | |
| | | | | | 901, 902 | |
| | | | | | | |
| ŀ | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | 1022 | Email from Mike Cohen | | | 901, 902 | |
| | 1022 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Loren Cohen Re: Cash | (S&A) | (S&A) | 402, 403, | |
| - | | Needs | Disputed | Disputed (CV) | 901, 902 | |
| | | Email from Mike Cohen | | Stipulated | | |
| | 1023 | to Loren Cohen Re: | | (S&A) | | |
| | | Questions | | Stipulated | | |
| | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| | 1024 | to Jim Scherbinske, Melissa Edwards, Loren | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | Cohen Re: Aug 2020 | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | invoice(s) HR | Disputed | Disputed | 901, 902 | |
| Ī | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| | 1025 | to Jim Korbein, Jim | (CV) Discussion 1 | (CV) Diameter 1 | 901, 902 | |
| | | Scherbinske, Hayley Cole, Emmet Boyle Re: | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | DMK Checks | Disputed | Disputed | 901, 902 | |
| l | | | · · | · · | (CV) ER | |
| | | | | | 402, 403, | |
| | 1026 | T 110 151 01 | (GTD D: | (077) 73 | 901, 902 | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | to Jim Scherbinske Re: Vacation | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 1 | | , acaton | Disputed | Disputed | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| | 1027 | to Yuchun Santory, | | | 901, 902 | |
| | 1027 | Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Cohen Re: Building | (S&A) | (S&A) | 402, 403, | |
| ۱۲ | | Eleven | Disputed | Disputed | 901, 902 | |

| | | DEFENDANT'S EXHIBITS | | | | |
|---------|----------|--|-------------------------|--------------------------|------------------------|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 802, 901, | |
| $ _1$ | 1028 | | | | 902 (S&A) | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | ER 402, 403, | |
| | | to Yuchan Santory Re: | (S&A) | (S&A) | 802, 901, | |
| | | Building Eleven | Disputed | Disputed | 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| ١. | 1000 | Email from Mike Cohen | | | 901, 902 | |
| 1 | 1029 | to Yuchan Santory, | | | (S&A) ER | |
| | | Hayley Cole Canceled: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | KT and Sons conf. call | (S&A) | (S&A) | 801, 802, | |
| | | w/Yuchun and Mike | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| 1 | 1030 | | | | 901, 902 | |
| 1 | 1030 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Hayley Cole KT and | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Sons conf. call w/Yuchun and Mike | (S&A) | (S&A) | 801, 802, | |
| _ | | W/ Y uchun and wike | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| 1 | 1031 | Email from Mike Cohen | | | 901, 902 | |
| 1 | 1031 | to Yuchan Santory, | (CID D: 1 | (OTD D' 1 | (S&A) ER | |
| | | Hayley Cole KT and Sons conf. call | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | w/Yuchun and Mike | Disputed | Disputed | 901, 902 | |
| | | I delicii ulici ivilice | 2.spaica | 215parea | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| 1 | 1032 | Email from Mike Cohen | | | 901, 902 | |
| | | to Lesley Churchwell and all users at | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Mcconstruction Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| Ш | | Parking | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-------------|-------|--|--------------------------|-------------------------|-------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| 5 | 1033 | | | | (S&A) ER | |
| 5 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| Ш | | to Michael Foley Re: | (S&A) | (S&A) | 801, 802, | |
| | | Parking | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 1034 | | | | 901, 902 | |
| | 1034 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| . | | to Russ Wickett Re: Dr. | (S&A) | (S&A) | 801, 802, | |
| | | JASON WANG | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| \parallel | | | | | 801, 802, | |
| | 1035 | | | | 901, 902 | |
| | 1033 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Stacy Carkonen, | (S&A) | (S&A) | 801, 802, | |
| $\ $ | | Hayley Cole The barrels | Disputed | Disputed | 901, 902 (CV) ER | |
| \parallel | | Email from Mike Cohen | | | 402, 403, | |
| $\ $ | 1036 | to Yuchan Santory, | | | 901, 902 | |
| | 1030 | Hayley Cole Fwd: 8072 | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | YS BALANCE LEVEL | (S&A) | (S&A) | 402, 403, | |
| | | 9.13.2020.xlsx | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| Ш | 400- | Email from Mike Cohen | | | 901, 902 | |
| | 1037 | to Yuchan Santory Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | 8072 YS BALANCE | (S&A) | (S&A) | 402, 403, | |
| | | LEVEL 9.13.2020.xlsx | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | (CV) Disserts 1 | (CV) Di | (CV) ER | |
| | 1038 | to Yuchan Santory Re: 8072 YS BALANCE | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 901, 902 | |
| | | LEVEL 9.13.2020.xlsx | Disputed | Disputed | (S&A) ER | |
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| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 1020 | | | | 901, 902 | |
| 1039 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Russ Wickett, Loren | (S&A) | (S&A) | 402, 403, | |
| | Cohen status Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| | to Jim Scherbinske, | | | 402, 403, | |
| 1040 | Loren Cohen, Lee | | | 901, 902 | |
| 1040 | Cohen, Hayley Cole Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Check for Anthem Giftcards | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | Officards | Disputed | Disputed | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1041 | to Victoria Willing, | | | 901, 902 | |
| 10.1 | Loren Cohen, Jim Scherbinske Re: C&M | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | 4710 credit card on BoA | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | 1710 Credit Card on Borr | Bisparea | Dispared | (CV) ER | |
| | | | | 402, 403, | |
| | E II MI CI | | | 801, 802, | |
| 1042 | Email from Mike Cohen to Karen Seerley, | | | 901, 902 (S&A) ER | |
| | Yuchun Santory Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Stegin Retention | (S&A) | (S&A) | 801, 802, | |
| | Approval Needed | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 10.15 | Email from Mike Cohen | | | 901, 902 | |
| 1043 | to Jennifer Andlovec Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | C&M 4710 credit card | (S&A) | (S&A) | 402, 403, | |
| | on BoA | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 1044 | | | | 901, 902 | |
| 1044 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Loren Cohen Re: | (S&A) | (S&A) | 402, 403, | |
| | Follow up | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-----|--------|---|---------------|-------------------------|-----------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | Email from Mike Cohen to Jim Scherbinske, | | | 402, 403, 901, 902 | |
| 5 | 1045 | Melissa Edwards Re: 1037184 POINT | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | RUSTON LLC | Disputed | Disputed | 901, 902 | |
| 6 | | Email from Mike Cohen | Disputed | Dispared | 701, 702 | |
| 7 | | to Hayley Cole, Victoria | | | (CV) ER | |
| | | Willing, Vanessa Ray, | | | 402, 403, | |
| 8 | 1046 | Loren Cohen, Jim | | | 901, 902 | |
| 9 | | Scherbinske Re: Point | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| . | | Ruston-Edward Jones | (S&A) | (S&A) | 402, 403, 901, 902 | |
| 10 | | Space(s) A & B Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 11 | | to Hayley Cole, Victoria | | | (CV) ER | |
| | | Willing, Vanessa Ray, | | | 402, 403, | |
| 12 | 1047 | Loren Cohen, Jim | | | 901, 902 | |
| 13 | | Scherbinske Re: Point | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Ruston-Edward Jones | (S&A) | (S&A) | 402, 403, | |
| 14 | | Space(s) A & B | Disputed | Disputed | 901, 902 | |
| 15 | | Email from Mike Cohen | | | (CV) ER | |
| | | to Jim Scherbisnke, | | | 402, 403, 901, 902 | |
| 16 | 1048 | Melissa Edwards Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 17 | | 1037184 POINT | (S&A) | (S&A) | 402, 403, | |
| 1 / | | RUSTON LLC | Disputed | Disputed | 901, 902 | |
| 18 | | Email from Mike Cohen | | | (CV) ER | |
| 10 | | to Amara Foster Fwd: | | | 402, 403, | |
| 19 | 1049 | Acet. #110773: | (077) 73 | (077) 73 | 901, 902 | |
| 20 | | Welcome To The | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| _ | | HomePay Family, Mike | (S&A) | (S&A) | 402, 403, | |
| 21 | | Cohen! (Case #3355334) Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| 22 | | to Hayley Cole, Vanessa | | | 402, 403, | |
| | 4.5.5. | Ray, Loren Cohen, Jim | | | 901, 902 | |
| 23 | 1050 | Scherbinske Re: Point | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 24 | | Ruston-Edward Jones | (S&A) | (S&A) | 402, 403, | |
| | | Space(s) A & B | Disputed | Disputed | 901, 902 | |
| 25 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (CV) ER | |
| 26 | 1051 | to Jim Scherbisnke, | (S&A) | (S&A) | 402, 403, | |
| 20 | | Melissa Edwards Re: | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|-------------------------|-------------------------|---------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | 1037184 POINT | | | (S&A) ER | |
| | RUSTON LLC | | | 402, 403, 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1050 | | | | 801, 802, 901, 902 | |
| 1052 | Email from Mike Cohen | | | (S&A) ER | |
| | to Deidre Kurian, Tracy | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Medina Re: 2013 Jeep Compass Registration | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | Compass Registration | Disputed | Bisparea | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1053 | Email from Mike Cohen | | | (S&A) ER | |
| | to Hayley Cole Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | GenCare Change Orders | (S&A) | (S&A) | 801, 802, | |
| | Invoice 15423.pdf | Disputed | Disputed | 901, 902 (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1054 | to Jim Scherbinske, | | | 901, 902 | |
| 1054 | Melissa Edwards Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | 1037184 POINT RUSTON LLC | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | ROSTOTVELLO | Disputed | Bisparea | (CV) ER | |
| | | | | 402, 403, | |
| 1055 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (C & A) ED | |
| | to Jim Scherbinske Re: 1037184 POINT | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | RUSTON LLC | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| 1056 | Email from Mike Cohen | | | 901, 902 | |
| 1056 | to Michael Foley, | | | (S&A) ER | |
| | Hayley Cole Re: Cow | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Chip Cookies for Magnuson Space | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | 1.1. Shares Space | Disputou | Disputou | 701,702 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|--|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| | 1057 | | | | 901, 902 | |
| 5 | 1057 | Email from Mike Cohen | | | (S&A) ER | |
| 6 | | to Hayley Cole Any | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 7 | | Verizon tore on market update | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | update | Disputed | Disputed | (CV) ER | |
| 8 | | | | | 402, 403, | |
| 9 | | | | | 801, 802, | |
| 10 | 1058 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 10 | | to Hayley Cole Re: Any | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 11 | | Verizon tore on market | (S&A) | (S&A) | 801, 802, | |
| 12 | | update | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| 13 | | | | | 801, 802, | |
| 14 | 1059 | | | | 901, 902 | |
| 15 | 1033 | Email from Miles Colon | (CV) Disputed | (CV) Diameted | (S&A) ER | |
| | | Email from Mike Cohen to Michael Foley Page | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 16 | | Arizona | Disputed | Disputed | 901, 902 | |
| 17 | | Email from Mike Cohen | | • | (CV) ER | |
| 10 | | to Mike Cohen, Loren | | | 402, 403, | |
| 18 | 1060 | Cohen, Hayley Cole, Deidre Kurian Re: Any | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 19 | | Verizon tore on market | (S&A) | (S&A) | 402, 403, | |
| 20 | | update | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| 21 | | | | | 402, 403, 901, 902 | |
| 22 | 1061 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 23 | | to Hayley Cole Re: | (S&A) | (S&A) | 402, 403, | |
| | | Century link | Disputed | Disputed | 901, 902 | |
| 24 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 25 | 1062 | to Jim Scherbinske Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | Point Ruston, LLC 1065 | (S&A) | (S&A) | 901, 902 | |
| 26 | | 2019 | Disputed | Disputed | (S&A) ER | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|--------------------------|---------------|---------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 402, 403, | |
| 4 | | | | | 801, 802, 901, 902 | |
| 5 | | | | | 201, 202 | |
| 6 | | | | | (CV) ER 402, 403, | |
| | 10.62 | Email from Mike Cohen | | | 901, 902 | |
| 7 | 1063 | to Jim Scherbinske RE: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 8 | | Point Ruston, LLC 1065 | (S&A) | (S&A) | 402, 403, | |
| | | 2019 | Disputed | Disputed | 901, 902 | |
| 9 | | | | | (CV) ER 402, 403, | |
| 10 | | Email from Mike Cohen | | | 801, 802, | |
| | | to Yuchun Santory, | | | 901, 902 | |
| 11 | 1064 | Kareen Seerley, Jennifer | | | (S&A) ER | |
| 12 | | Andlovec RE: Stegin | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 12 | | Retention Approval | (S&A) | (S&A) | 801, 802, | |
| 13 | | Needed | Disputed | Disputed | 901, 902 | |
| 14 | | | | | (CV) ER | |
| 1 | | | | | 402, 403, 801, 802, | |
| 15 | | | | | 901, 902 | |
| 16 | 1065 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Victoria Willing FW: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 17 | | Pay To Account Added | (S&A) | (S&A) | 801, 802, | |
| 18 | | to Online Banking | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 19 | | to Lee Cohen, Loren | | | 901, 902 | |
| 20 | 1066 | Cohen, Michael Foley | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| _ | | RE: FARRELLIS Patio | (S&A) | (S&A) | 402, 403, | |
| 21 | | Fencing & tenting | Disputed | Disputed | 901, 902 | |
| 22 | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| 23 | | | | | 901, 802, | |
| 24 | 1067 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Brian Williams RE: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 25 | | newsletter - draft | (S&A) | (S&A) | 801, 802, | |
| 26 | | attached | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER 402, 403, | |
| 4 | 1068 | Email from Mike Cohen to Loren Cohen, Jim | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 5 | | Scherbinske RE: Edward | (S&A) | (S&A) | 402, 403, | |
| 6 | | Jones Delivery Notice | Disputed | Disputed | 901, 902 (CV) ER | |
| 7 | | Envell from Miles Colors | | | 402, 403, | |
| 8 | 1069 | Email from Mike Cohen to Loren Cohen, Jim | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 9 | | Scherbinske RE: Edward Jones Delivery Notice | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 0 | | Email from Mike Cohen | | (CV) | , | |
| 1 | 1070 | to Loren Cohen Fwd: Info for Amara for | | Stipulated (S&A) | | |
| 2 | | Name change | | Stipulated | (CV) ER | |
| 3 | | | | | 402, 403, | |
| 4 | 1071 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| .5 | | to Russ Wickett, Loren Cohen Re: status | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 6 | | Concil Itc. Status | Disputed | Disputed | (CV) ER | |
| 7 | 1072 | | | | 402, 403, 901, 902 | |
| 8 | 1072 | Email from Mike Cohen to Russ Wickett, Loren | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 9 | | Cohen Re: status | Disputed | Disputed | 901, 902 | |
| 0 | | | | | (CV) ER 402, 403, | |
| 21 | | | | | 801, 802, 901, 902 | |
| | 1073 | T '10 15'1 6 1 | (OT) D: 1 | (077) 73 | (S&A) ER | |
| 22 | | Email from Mike Cohen to Hayley Cole RE: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 23 | | Century link Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| 24 | 1074 | to Loren Cohen, Tracy | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 25 | 10/4 | Medina FW: Edward Jones Delivery Notice | (S&A) Disputed | (S&A) Disputed | 901, 902 (S&A) ER | |
| 26 | | | 1 F | | () 22 | 1 |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|--------------------------|-------------------------|-------------------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 1075 | Email from Mike Cohen to Tracy Medina Re: Edward Jones Delivery | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER 402, 403, | |
| | Notice Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| | to Jennifer Andlovec, Tracy Medina, Jim | | | 402, 403, 901, 902 | |
| 1076 | Scherbinske, Loren Cohen RE: Edward | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Jones Delivery Notice | Disputed | Disputed | 901, 902 (CV) ER | |
| 1077 | Email from Mike Cohen to Jim Scherbinske, | | | 402, 403, 901, 902 | |
| 1077 | Loren Cohen, Tracy Medina RE: Edward | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Jones AP | Disputed | Disputed | 901, 902 (CV) ER 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 1078 | to Angie Lukecart, Hayley Cole RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Building 7 Daily Log for 09.14.20 | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | | | (CV) ER 402, | |
| | | | | 403,801, 802, 901, | |
| 1079 | Email from Mike Cohen to Angie Lukecart, | (OT) D: | (GIN D | 902 (S&A) ER 402, | |
| | Hayley Cole RE: Building 7 Daily Log for | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 403,801, 802, 901, | |
| | 09.14.20 | Disputed | Disputed | 902 |] |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|--------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | | | |
| 4 | | to Michael Foley, Loren Cohen, Hayley Cole, Jim | | | (CV) ER 402, 403, | |
| 5 | 1080 | Scherbinske RE: * EXTERNAL SENDER | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 6 | | * FW: Magnuson Bill of Sale for signature | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 7 | | | | | (CV) ER 402, 403, | |
| 8 | | | | | 801, 802, | |
| 9 | 1081 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 10 | | to Deirdre Kurian RE: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 11 | | Please review/approve - Lost Tabs Affidavit | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | Lost 1 dos 1 tilidavit | Disputed | Disputed | (CV) ER | |
| 12 | | | | | 402, 403, | |
| 13 | 1082 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 14 | | to Michael Foley FW: | (S&A) | (S&A) | 402, 403, | |
| 15 | | Banner Bank Wire | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| 16 | 1083 | E '16 N'1 G 1 | (CID D: 1 | (CID D: 1 | 901, 902 | |
| 17 | | Email from Mike Cohen to Jim Scherbinske, | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 18 | | Haley Cole RE: Checks | Disputed | Disputed | 901, 902 | |
| 19 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | 1004 | to Jim Scherbinske, | | | 901, 902 | |
| 20 | 1084 | Haley Cole RE: Sewer | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 21 | | Connection Fee for Taco Street - Check request | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 22 | | • | | | (CV) ER | |
| 23 | | Email from Mike Cohen to Julie Bernstein, | | | 402, 403, 801, 802, | |
| 24 | 1085 | Jennifer Andlovec, | | | 901, 902 | |
| | 1003 | Hayley Cole, Rainer Design, Katy Porer, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 25 | | Brian Williams RE: | (S&A) | (CV) Disputed (S&A) | 801, 802, | |
| 26 | | Updated Rainier Sales | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1086 | Email from Mike Cohen | | | 901, 902 | |
| | 1000 | to Hayley Cole RE: Sewer Connection Fee | (CV) Diameted | (CV) Diameted | (S&A) ER | |
| 6 | | for Taco Street - Check | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | request | Disputed | Disputed | 901, 902 | |
| 8 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 9 | 1087 | to Hayley Cole, Jim | | | 901, 902 | |
| | 108/ | Scherbinske RE: Sewer | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 10 | | Connection Fee for Taco Street - Check request | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 11 | | Success Check request | Disputed | Disputed | (CV) ER | |
| 12 | | Email from Miles Cohon | | | 402, 403, | |
| 13 | 1088 | Email from Mike Cohen to Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 13 | | Cohen RE: model units | (S&A) | (S&A) | 402, 403, | |
| 14 | | for photoshoot | Disputed | Disputed | 901, 902 | |
| 15 | | | | | (CV) ER 402, 403, | |
| 16 | 1089 | Email from Mike Cohen | | | 901, 902 | |
| | | to Hayley Cole, Loren Cohen FW: model units | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 17 | | for photoshoot | Disputed | Disputed | 901, 902 | |
| 18 | | | | | (CV) ER | |
| 19 | | | | | 402, 403, 801, 802, | |
| 20 | 1090 | Email from Mike Cohen | | | 901, 902 | |
| | | to Angie Lukecart, Bill Felker, Hayley Cole RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 21 | | Building 7 Daily Log for | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 22 | | 09.14.20 | Disputed | Disputed | 901, 902 | |
| 23 | | Email from Mike Cohen to Yuchun Santory, | | | (CV) ER | |
| 24 | | Kareen SeerleyRE: | | | 402, 403, | |
| | 1091 | BUILDING 11 | (CIV) D: 4 1 | (CIV) D: 4 1 | 801, 802, | |
| 25 | | MARKET - SUBCONTRACT | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| 26 | | PROCEDURE FOR TI | Disputed | Disputed | 402, 403, | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 801, 802, | |
| 4 | | | | | 901, 902 | |
| 5 | | | | | (CV) ER | |
| 6 | | | | | 402, 403, | |
| 7 | 1092 | Email from Mike Cohen to Bill Felker, Jim | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 8 | | Scherbinske RE: AP | (S&A) | (S&A) | 402, 403, | |
| | | Bldg 6 | Disputed | Disputed | 901, 902 | |
| 9 | | | | | (CV) ER 402, 403, | |
| 10 | | | | | 801, 802, | |
| 11 | 1093 | | | | 901, 902 (S&A) ER | |
| 12 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Bill Felker RE: AP | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 3 | | Bldg 6 | Disputed | Disputed | (CV) ER | |
| 14 | | | | | 402, 403, | |
| 5 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 16 | 1094 | to Kareen Seerley, | | | (S&A) ER | |
| | | Yuchun Santory, Bill | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 17 | | Felker RE: TI Spaces Building 7 | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 8 | | | • | • | (CV) ER | |
| 9 | | | | | 402, 403, 901, 902 | |
| 20 | 1095 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | to Jim Scherbinske, Bill | (S&A) | (S&A) | 402, 403, | |
| 21 | | Felker RE: AP Bldg 6 | Disputed | Disputed | 901, 902 (CV) ER | |
| 22 | | | | | 402, 403, | |
| 23 | | | | | 801, 802, 901, 902 | |
| 24 | 1096 | Email from Mike Cohen | | | (S&A) ER | |
| 25 | | to Hayley Cole, Bill | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Felker RE: Bldg 7 appliance delivery | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 26 | | , | | | | |

| | DEFENDANTS | | | | | | |
|---------------|------------|-------------------------|---------------|---------------|-----------------------|----------|--|
| 1 | | DEFENDANT'S EXHIBITS | | | | | |
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted | |
| 2 | # | Description | Authenticity | Admissionity | Objection | Aumitteu | |
| 3 | | | | | (CV) ER | | |
| , | | | | | 402, 403, | | |
| 4 | | | | | 801, 802, | | |
| 5 | 1097 | | | | 901, 902 | | |
| | 100, | - " | (070 7) | (| (S&A) ER | | |
| 6 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | | |
| , II | | to Hayley Cole RE: Bldg | (S&A) | (S&A) | 801, 802, | | |
| | | 7 appliance delivery | Disputed | Disputed | 901, 902 | | |
| 3 | | | | | (CV) ER | | |
| | | | | | 402, 403, | | |
| 9 | | | | | 801, 802, 901, 902 | | |
| ر ا | 1098 | | | | (S&A) ER | | |
| 0 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | | |
| 1 | | to Hayley Cole RE: Bldg | (S&A) | (S&A) | 801, 802, | | |
| | | 7 appliance delivery | Disputed | Disputed | 901, 902 | | |
| 2 | | Email from Mike Cohen | 2 13 7 11 10 | 2156400 | (CV) ER | | |
| 3 | | to Kris Kammerer, | | | 402, 403, | | |
| , II | | Hayley Cole, Yuchun | | | 801, 802, | | |
| 4 | 1099 | Santory, Rod McCarten, | | | 901, 902 | | |
| | 1099 | Steve Chisam, Paul | | | (S&A) ER | | |
| 5 | | Vance, Melissa | (CV) Disputed | (CV) Disputed | 402, 403, | | |
| ; | | Edwards, Loren Cohen | (S&A) | (S&A) | 801, 802, | | |
| Ш | | RE: Bldg 4 - Daily Log | Disputed | Disputed | 901, 902 | | |
| 1 | | | | | (CV) ER | | |
| \parallel | | | | | 402, 403, | | |
| 3 | 1100 | T16 M1 - C 1 | (CIV) D: 4 1 | (CIV) D: 4 1 | 901, 902 | | |
| , | | Email from Mike Cohen | | | (S&A) ER | | |
| | | to Loren Cohen FW: | (S&A) | (S&A) | 402, 403, | | |
|) | | Bldg 4 - Daily Log | Disputed | Disputed | 901, 902 | | |
| , | | | | | (CV) ER 402, 403, | | |
| $1 \parallel$ | | | | | 801, 802, | | |
| 2 | | Email from Mike Cohen | | | 901, 902 | | |
| | 1101 | to Michael Foley, | | | (S&A) ER | | |
| 3 | | Hayley Cole RE: | (CV) Disputed | (CV) Disputed | 402, 403, | | |
| 4 | | Tenant Executed leases | (S&A) | (S&A) | 801, 802, | | |
| † | | to sign | Disputed | Disputed | 901, 902 | | |
| 5 | | | | | | | |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|-----------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | " | Email from Mike Cohen | | | | |
| 4 | | to Yuchun Santory, Jim Scherbinske, Kareen | | | (CV) ER | |
| 5 | 1102 | Seerley, Bill Felker, Hayley Cole, Rod | | | 402, 403, 901, 902 | |
| 6 | | McCarten, Loren Cohen RE: PMB Final | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 7 | | Unconditional Releases Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 8 | | to Hayley Cole, Yuchun | | | | |
| 9 | 1103 | Santory, Jim Scherbinske, Kareen | | | (CV) ER 402, 403, | |
| 10 | 1103 | Seerley, Bill Felker, Rod | (CID D: 1 | (CIV D: 1 1 | 901, 902 | |
| 11 | | McCarten, Loren Cohen RE: PMB Final Unconditional Releases | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 12 | | Unconditional Releases | Disputed | Disputed | 901, 902 (CV) ER | |
| 13 | | | | | 402, 403, | |
| 14 | 1104 | | | | 801, 802, 901, 902 | |
| 15 | 1104 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 16 | | to Michael Foley RE: Magnuson deal update | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 17 | | | • | | (CV) ER 402, 403, | |
| 18 | | | | | 801, 802, | |
| 19 | 1105 | | | | 901, 902 (S&A) ER | |
| 20 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 21 | | to Michael Foley RE: Magnuson deal update | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | | • | • | (CV) ER | |
| 22 | | | | | 402, 403, 801, 802, | |
| 23 | 1106 | D 10 10 0 | | | 901, 902 | |
| 24 | | Email from Mike Cohen to Yuchun Santory RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 25 | | GO TO MEETING | (S&A) | (S&A) | 801, 802, | |
| 26 | | WITH MIKE | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|-----------------------|-----------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | | | |
| 4 | | to Yuchun Santory, Jim Scherbinske RE: | | | (CV) ER | |
| 5 | 1107 | BUILDING 7 - RYAN ANDERSON - | | | 402, 403, 901, 902 | |
| 6 | | REQUEST FOR DRAW 10K (PUNCHING | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 7 | | UNITS) | Disputed | Disputed | 901, 902 (CV) ER | |
| 8 | | | | | 402, 403, | |
| 9 | | | | | 801, 802, 901, 902 | |
| 10 | 1108 | Email from Mike Cohen to Julie Bernsten, Brian | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 11 | | Williams RE: Updated | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 12 | | Rainier Sales | Disputed | Disputed | 901, 902 | |
| 13 | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| 14 | 1109 | Email from Mike Cohen to Brian Williams, | | | 901, 902 (S&A) ER | |
| 15 | | Hayley Cole RE: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 16 | | Construction Update on the Waterfront! | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 17 | | | | | (CV) ER | |
| 18 | | | | | 402, 403, 801, 802, | |
| 19 | 1110 | Email from Mike Cohen | | | 901, 902 | |
| | | to Jennifer Andlovec, Hayley Cole RE: please | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 20 | | approve - checks to be | (S&A) | (S&A) | 801, 802, | |
| 21 | | signed | Disputed | Disputed | 901, 902 (CV) ER | |
| 22 | | | | | 402, 403, | |
| 23 | | E 16 M1 61 | | | 801, 802, | |
| | 1111 | Email from Mike Cohen to Hayley Cole, Brian | | | 901, 902 (S&A) ER | |
| 24 | | Williams RE: Sign | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 25 | | Application for Premier Mortgage | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 26 | | 1.101tgugv | Disputed | Dispared | 701, 702 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1112 | | | | 901, 902 | |
| 3 | 1112 | Email from Mike Cohen | | (| (S&A) ER | |
| 6 | | to Yuchun Santory RE: CASEY MEETING | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | WITH MIKE | Disputed | Disputed | 901, 902 | |
| 8 | | Email from Mike Cohen | _ | _ | | |
| | | to Jim Scherbinske, Yuchun Santory RE: | | | (CV) ER | |
| 9 | 1113 | BUILDING 7 - RYAN | | | 402, 403, | |
| 10 | 1113 | ANDERSON - | (CIN D: 1 | (CID D: 1 | 901, 902 | |
| 11 | | REQUEST FOR DRAW 10K (PUNCHING | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | UNITS) | Disputed | Disputed | 901, 902 | |
| 12 | | - " | | | (CV) ER | |
| 13 | | Email from Mike Cohen to Hayley Cole, Loren | | | 402, 403, 901, 902 | |
| 14 | 1114 | Cohen, Jim Scherbinske | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 15 | | RE: office furniture | (S&A) | (S&A) | 402, 403, | |
| 13 | | getting paid | Disputed | Disputed | 901, 902 (CV) ER | |
| 16 | | Email from Mike Cohen | | | 402, 403, | |
| 17 | 1115 | to Hayley Cole, Loren | | | 901, 902 | |
| 18 | | Cohen, Jim Scherbinske Re: office furniture | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | getting paid | Disputed | Disputed | 901, 902 | |
| 19 | | _ ,, , , , , , , | - | - | (CV) ER | |
| 20 | | Email from Mike Cohen to Deirdre Kurian RE: | | | 402, 403, 801, 802, | |
| 21 | 1116 | HP Account Issue RE: | | | 901, 902 | |
| | 1116 | Case number | | | (S&A) ER | |
| 22 | | 5053689043 has been created | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 23 | | CRM:0000498883004 | Disputed | Disputed | 901, 902, | |
| 24 | | Email from Mike Cohen | • | • | | |
| | 1117 | to Hayley Cole, Loren Cohen, Jim Scherbinske | (CV) Disputed | (CV) Disputed | (CV) ER 402, 403, | |
| 25 | 111/ | RE: office furniture | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 26 | | getting paid | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|-------------------------|---------------|-----------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 1110 | Email from Mike Cohen | | | 901, 902 | |
| 1118 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Loren Cohen RE: Stegin | (S&A) | (S&A) | 402, 403, | |
| | Concrete | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1110 | | | | 901, 902 | |
| 1119 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole RE: Any | (S&A) | (S&A) | 801, 802, | |
| | updates | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| 1120 | Email from Mike Cohen | | | 901, 902 | |
| 1120 | to Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen, Jim Scherbinske | (S&A) | (S&A) | 402, 403, | |
| | RE: miles payment | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1121 | Email from Mike Cohen | | | 901, 902 | |
| 1121 | to Mike Cohen FW: | | | (S&A) ER | |
| | Unconditional, Final lien | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | releases – Point Ruston - Gen-Care Senior Living | (S&A) Disputed | (S&A) | 801, 802, 901, 902 | |
| | Gen-Care Senior Living | Disputed | Disputed | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1122 | to Amara Foster FW: | (CV) Diameter 1 | (CV) Disputed | 901, 902 | |
| | GOTR Starts NEXT WEEK - There is still | (CV) Disputed (S&A) | (CV) Disputed | (S&A) ER 402, 403, | |
| | time to register! | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| 1123 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 1123 | Hayley Cole RE: miles | (S&A) | (S&A) | 901, 902 | |
| | payment | Disputed | Disputed | (S&A) ER | <u> </u> |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|------|-------|--|---------------|---------------|----------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 402, 403, | |
| 4 | | | | | 901, 902 | |
| 5 | | | | | (CV) ER 402, 403, | |
| 6 | 1104 | Email from Mike Cohen | | | 901, 902 | |
| , | 1124 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Loren CohenRE: Stegin | (S&A) | (S&A) | 402, 403, | |
| | | Concrete | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | 1105 | to Melissa Edwards, Jim | | | 901, 902 | |
| Ш | 1125 | Scherbinske RE: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Olympia Lighting | (S&A) | (S&A) | 402, 403, | |
| | | Center - Building 7 | Disputed | Disputed | 901, 902 | |
| Ш | | Email from Mike Cohen to Loren Cohen, Jim | | | (CV) ER 402, 403, | |
| | | Scherbinske, Melissa | | | 901, 902 | |
| | 1126 | Edwards RE: Olympia | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| $\ $ | | Lighting Center - | (S&A) | (S&A) | 402, 403, | |
| | | Building 7 | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 1107 | | | | 901, 902 | |
| $\ $ | 1127 | | | | (S&A) ER | |
| $\ $ | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| $\ $ | | to Hayley Cole RE: | (S&A) | (S&A) | 801, 802, | |
| | | finishes for rainier | Disputed | Disputed | 901, 902 (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| | 1128 | to Deirdre Kurian, Loren | | | 901, 902 | |
| | 1128 | Cohen, Yuchun Santory, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Hayley Cole RE: Point | (S&A) | (S&A) | 402, 403, | |
| | | Ruston Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | | to Jim Scherbinske, | | | (CV) ER 402, 403, | |
| $\ $ | 1120 | Yuchun Santory, Hayley | | | 901, 902 | |
| $\ $ | 1129 | Cole RE: BUILDING 7 | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | - RYAN ANDERSON - | (S&A) | (S&A) | 402, 403, | |
| | | REQUEST FOR DRAW | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|--------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | 10K (PUNCHING UNITS) | | | | |
| 4 | | ONIIS) | | | | |
| 5 | | | | | (CV) ER | |
| 6 | | Email from Mike Cohen | | | 402, 403, | |
| 7 | 1130 | to Deirdre Kurian, Loren Cohen, Yuchun Santory, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 8 | | Hayley Cole RE: Point Ruston | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 9 | | Ruston | Disputed | Disputed | (CV) ER | |
| 10 | 1121 | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 11 | 1131 | to Loren Cohen, Jim Scherbinske RE: Stegin | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 12 | | Concrete | Disputed | Disputed | 901, 902 | |
| 13 | | Email from Mike Cohen to Yuchun Santory RE: | | | (CV) ER | |
| 14 | 1132 | BUILDING 7 - RYAN ANDERSON - | | | 402, 403, 901, 902 | |
| 15 | 1132 | REQUEST FOR DRAW | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 16 | | 10K (PUNCHING UNITS) | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | Email from Mike Cohen | • | • | (CV) ER | |
| 17 | 1133 | to Loren Cohen, Jim | | | 402, 403, 901, 902 | |
| 18 | 1133 | Scherbinske, Jennifer Andlovec, Hayley Cole | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 19 | | RE: Stegin Concrete | Disputed | Disputed | 901, 902 | |
| 20 | | Email from Mike Cohen to Jennifer Andlovec, | | | (CV) ER 402, 403, | |
| 21 | 1134 | Loren Cohen, Jim Scherbinske, Hayley | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 22 | | Cole Re: Stegin | (S&A) | (S&A) | 402, 403, | |
| 23 | | Concrete | Disputed | Disputed | 901, 902 (CV) ER | |
| 24 | | | | | 402, 403, 801, 802, | |
| 25 | 1135 | | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 26 | | Email from Mike Cohen to Matt Cyr Grocer | (S&A) Disputed | (S&A) Disputed | (S&A) ER 402, 403, | |

| | DEFENDANT'S EXHIBITS | | | | |
|------|---|---------------|---------------|-----------------------|--------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitt |
| # | | | | | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | | |
| | | | | (CII) ED | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 1136 | to Michael Foley, Dale | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Scott, Loren Cohen Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Project near Astoria | Disputed | Disputed | 901, 902 | |
| | Troject near Astoria | Disputed | Disputed | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| | to Dale Scott, Ian | | | 901, 902 | |
| 1137 | Thomas, Michael Foley, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Loren Cohen Re: Project | (S&A) | (S&A) | 402, 403, | |
| | near Astoria | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | • | • | (CV) ER | |
| | to Kareen Seerley, Jim | | | 402, 403, | |
| 1138 | Scherbinske Please send | | | 901, 902 | |
| 1136 | current status on lot 6 | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | unconditional final | (S&A) | (S&A) | 402, 403, | |
| | releases | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1139 | E '16 M'1 G 1 | (CIV) D: 4 1 | (CIV) D: 4 1 | 901, 902 | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Lee Cohen, Loren Cohen Site observation | (S&A) | (S&A) | 402, 403, | |
| | Conen Site observation | Disputed | Disputed | 901, 902 (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| | to Yuchun Santory, | | | 901, 902 | |
| 1140 | Keith Daniel, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen, Matt Cyr Silver | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Cloud view cooridor | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1141 | to Kareen Seerley, Jim | | | 901, 902 | |
| 1141 | Scherbinske, Tracy | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Medina, Yuchun Santory | (S&A) | (S&A) | 402, 403, | |
| ı | Re: TI contracts for | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S | | | | |
|---------------|-------|-----------------------------|-------------------|---------------------|------------------------|----------|
| | 10 | EXHIBITS | A 41 41 44 | A 1 | 01: 4: | A 1 1 |
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | TT . | | | | (CV) ER | |
| | | | | | 402, 403, | |
| 4 | | | | | 801, 802, | |
| 5 | 1142 | | | | 901, 902 | |
| 3 | 1142 | | | | (S&A) ER | |
| 6 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| _ | | to Hayley Cole Market | (S&A) | (S&A) | 801, 802, | |
| 7 | | misc | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| 9 | | | | | 801, 802, 901, 902 | |
| 10 | 1143 | | | | (S&A) ER | |
| 10 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 11 | | to Hayley Cole, Yuchun | (S&A) | (S&A) | 801, 802, | |
| | | Santory TI at lot 7 | Disputed | Disputed | 901, 902 | |
| 12 | | Email from Mike Cohen | | | (CV) ER | |
| 13 | | to Yuchun Santory, | | | 402, 403, | |
| | 1144 | Kareen Seerley, Jim | (070 5) | (077) 7: | 901, 902 | |
| 14 | | Scherbinske, Tracy | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 15 | | Medina Re: TI contracts for | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | 101 | Disputed | Disputed | (CV) ER | |
| 16 | | | | | 402, 403, | |
| 17 | | | | | 801, 802, | |
| 1 / | 1145 | | | | 901, 902 | |
| 18 | 1143 | | | | (S&A) ER | |
| 19 | | Email from Mike Cohen | | _ | 402, 403, | |
| 19 | | to Tracy Medina Read: | (S&A) | (S&A) | 801, 802, | |
| 20 | | Pat Wilber | Disputed | Disputed | 901, 902 | |
| . | | | | | (CV) ER | |
| 21 | | | | | 402, 403, 801, 802, | |
| 22 | | | | | 901, 902 | |
| | 1146 | | | | (S&A) ER | |
| 23 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 24 | | to Brian Williams Fwd: | (S&A) | (S&A) | 801, 802, | |
| 44 | | Updated Rainier Sales | Disputed | Disputed | 901, 902 | |
| 25 | | | | | | |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|---------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1147 | | | | 901, 902 (S&A) ER | |
| 6 | | Email from Mike Cohen to Brian Williams Re: | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | Updated Rainier Sales | Disputed | Disputed | 901, 902 | |
| 8 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 9 | 1148 | to Jim Weymouth, Jim Korbein, Loren Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 10 | | Rainier non waterfront units | (S&A) | (S&A) | 402, 403, | |
| 11 | | umts | Disputed | Disputed | 901, 902 (CV) ER | |
| 10 | | | | | 402, 403, | |
| 12 | | | | | 801, 802, | |
| 13 | 1149 | | | | 901, 902 | |
| 14 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 14 | | to Hayley Cole RE: | (S&A) | (S&A) | 801, 802, | |
| 15 | | Market | Disputed | Disputed | 901, 902 | |
| 16 | | Email from Mike Cohen to Rod McCarten, Bill | | | (CV) ER 402, 403, | |
| 17 | 1150 | Felker, Hayley Cole, | | | 901, 902 | |
| 18 | 1130 | Yuchun Santory, Kareen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 10 | | Seerley FW: Bldg 6 Unconditionals | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 19 | | Email from Mike Cohen | | F | (CV) ER | |
| 20 | | to Deirdre Kurian RE: | | | 402, 403, | |
| | 1151 | Acct. 110773: IMPORTANT - Bank | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 21 | | Account Issue Follow- | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 22 | | Up (Case #3379855) | Disputed | Disputed | 901, 902 | |
| 23 | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, 801, 802, | |
| 24 | 1152 | to Deirdre Kurian RE: | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 25 | | Mike Cohen Expense | (S&A) | (S&A) | (S&A) ER | |
| 26 | | Report | Disputed | Disputed | 402, 403, | |
| 20 | | | | | | |

| | DEFENDANT'S EXHIBITS | | | | |
|------|-------------------------|---------------|---------------|---------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| # | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1153 | | | | 901, 902 | |
| 1133 | Email from Mike Cohen | | | (S&A) ER | |
| | to Alex Wardi FW: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Amazing New | (S&A) | (S&A) | 801, 802, | |
| | Supermarket in Sydney | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| | to Drew Ridge, Yuchun | | | 801, 802, | |
| 1154 | Santory, Hayley Cole, | | | 901, 902 | |
| | Bart Jones, Grant | (CIV D: 4 1 | (CIV) D: 1 | (S&A) ER | |
| | Middleton RE: ONLY | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | OATMEAL - HVAC HOOD | (S&A) | (S&A) | 801, 802, | |
| | поор | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| | Email from Mike Cohen | | | 901, 902 | |
| 1155 | to Margo, Brian | | | (S&A) ER | |
| | Williams Re: Pacific | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Point Condominiums | (S&A) | (S&A) | 801, 802, | |
| | Are Now Selling | Disputed | Disputed | 901, 902 | |
| | | • | · · | (CV) ER | |
| | | | | 402, 403, | |
| 1156 | Email from Mike Cohen | | | 901, 902 | |
| 1156 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Loren Cohen Note for | (S&A) | (S&A) | 402, 403, | |
| | DM Kelly | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1157 | Email from Mike Cohen | | | 901, 902 | |
| 1137 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Loren Cohen Re: Note | (S&A) | (S&A) | 402, 403, | |
| | for DM Kelly | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER 402, 403, | |
| 4 | | | | | 801, 802, 901, 902 | |
| 5 | 1158 | Email from Mike Cohen | (CV) D: 4 1 | (CV) D: 1 | (S&A) ER | |
| 6 | | to Tracy Medina, Yuchun Santory Re: Pat | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | Wilber | Disputed | Disputed | 901, 902 (CV) ER | |
| 8 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 9 | 1159 | to Amara Foster FW: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 10 | | Important: Your Q3 Taxes & Fees | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 11 | | | | | (CV) ER 402, 403, | |
| 12 | | | | | 801, 802, 901, 902 | |
| 13 | 1160 | Email from Mike Cohen | (| (| (S&A) ER | |
| 14 | | to Yuchun Santory, Kareen Seerley RE: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 15 | | Final LW Meeting | Disputed | Disputed | 901, 902 (CV) ER | |
| 16 | | | | | 402, 403, 801, 802, | |
| 17 | 1161 | | | | 901, 902 | |
| 18 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 19 | | to Tracy Medina RE: Pat Wilber | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 20 | | | - | - | (CV) ER 402, 403, | |
| 21 | | | | | 801, 802, | |
| 22 | 1162 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 23 | | to Jennifer Andlovec RE: C&M - Edward | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 24 | | Jones Tenant Work A/P | Disputed | Disputed | 901, 902 | |
| 25 | | | | | | |

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| Ex. | 1 | | DEFENDANT'S EXHIBITS | | | | |
|--|----------|------|--------------------------|---------------|---------------|---------------------------------------|----------|
| 1163 Email from Mike Cohen to Jennifer Andlovec, Kareen Seerley RE: C&M - Edward Jones Tenant Work A/P CV) Disputed (CV) D | 2 | | | Authenticity | Admissibility | Objection | Admitted |
| 1163 Email from Mike Cohen to Jennifer Andlovec, Kareen Seerley RE: C&M - Edward Jones Tenant Work A/P Disputed (CV) Disputed (S&A) ER (CV) Disputed (CV) ER (S&A) ER (CV) Disputed (CV) ER (S&A) ER (CV) Disputed (CV | 3 | " | | | | (CV) ER | |
| 1163 | 4 | | | | | | |
| 1163 | 4 | | Email from Mike Cohen | | | | |
| Kareen Seerley RE: | 5 | 1163 | | | | , , , , , , , , , , , , , , , , , , , | |
| Tenant Work A/P | 6 | | Kareen Seerley RE: | (CV) Disputed | (CV) Disputed | , | |
| 1164 | <u>,</u> | | | 1 3 | 1 3 | | |
| 1164 | 7 | | Tenant Work A/P | Disputed | Disputed | | |
| 1164 | 8 | | | | | , , | |
| 1164 Email from Mike Cohen to Kris Kammerer, Rod McCarten RE: Bldg 4 - Daily Log Disputed (CV) Dispute | 9 | | | | | 801, 802, | |
| Email from Mike Cohen to Kris Kammerer, Rod McCarten RE: Bldg 4 - Daily Log CCV) Disputed (S&A) & 801, 802, 901, 902 | | 1164 | T '10 N'1 O 1 | | | | |
| McCarten RE: Bldg 4 - | 10 | | | (CV) Disputed | (CV) Disputed | ` ' | |
| Daily Log Disputed Disputed 901, 902 | 11 | | | | ` / <u>*</u> | | |
| 1165 | 12 | | 2 | 1 \ | 1 \ | | |
| 1165 | 12 | | | | | | |
| 1165 | 13 | | | | | | |
| 1165 | 14 | | | | | | |
| McCarten RE: Bldg 4 - (S&A) (S&A | | 1165 | Email from Mike Cohen | | | | |
| Daily Log Disputed Disputed 901, 902 | 15 | | - | . , _ | . , _ | | |
| 1166 Email from Mike Cohen to Jennifer Andlovec, Kareen Seerley, Jim Scherbinske RE: C&M - Edward Jones Tenant Work A/P CV) Disputed (CV) Disputed (CV) Disputed (CV) Disputed (CV) ER (CV) ER (CV) Disputed (CV) Disputed (CV) Disputed (CV) Disputed (CV) ER (CV) Disputed (CV) Di | 16 | | 0 | 1 \ | 1 3 | | |
| to Jennifer Andlovec, Kareen Seerley, Jim Scherbinske RE: C&M - Edward Jones Tenant Work A/P 1167 Email from Mike Cohen to Jennifer Andlovec (CV) Disputed (CV) Disputed (CV) Disputed (CV) Disputed (CV) Disputed (CV) Disputed (CV) ER (CV) Disputed | 17 | | | Disputed | Disputed | | |
| 1166 Scherbinske RE: C&M - (CV) Disputed (S&A) ER (S&A) (S | 17 | | to Jennifer Andlovec, | | | , , | |
| Scherbinske RE: C&M - (CV) Disputed (S&A) ER (S&A) (S&A) (S&A) (S&A) (| 18 | 1166 | • | (077) 71 | (223.23 | | |
| 20 Work A/P Disputed Disputed 901, 902 21 22 23 24 Email from Mike Cohen to Jennifer Andlovec CV) Disputed CV) ER 25 Email from Mike Cohen CV) Disputed CV) Disputed CV) ER 26 CV) Disputed CV) Disputed CV) Disputed CV) ER 27 CV CV CV CV CV CV CV C | 19 | | | ` / - | \ / I | , | |
| 21 | | | | 1 1 | 1 \ | | |
| 1167 Email from Mike Cohen to Jennifer Andlovec (CV) Disputed (CV) Disputed (S&A) ER (S&A) | 20 | | | • | • | (CV) ER | |
| 1167 Email from Mike Cohen to Jennifer Andlovec (CV) Disputed (CV) Disputed (CV) Disputed (402, 403, 801, 802, Jones Tenant Work A/P Disputed (CV) Disputed (CV) Disputed (CV) Disputed (CV) ER | 21 | | | | | | |
| Email from Mike Cohen to Jennifer Andlovec (CV) Disputed (CV) Disputed 402, 403, RE: C&M - Edward (S&A) (S | 22 | | | | | | |
| to Jennifer Andlovec (CV) Disputed (CV) Disputed 402, 403, RE: C&M - Edward (S&A) (S&A) 801, 802, Jones Tenant Work A/P Disputed Disputed 901, 902 Email from Mike Cohen (CV) Disputed (CV) Disputed (CV) ER | | 1167 | Email from Mike Cohen | | | | |
| Jones Tenant Work A/P Disputed Disputed 901, 902 Email from Mike Cohen (CV) Disputed (CV) Disputed (CV) ER | 23 | | to Jennifer Andlovec | | ` / - | 402, 403, | |
| Email from Mike Cohen (CV) Disputed (CV) Disputed (CV) ER | 24 | | | 1 3 | | | |
| | 25 | | | | | | |
| III 10 Doton committee [[(South) [(South) 100; 100; 1 | | 1168 | to Loren Cohen, Jennifer | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 26 Andlovec, Jim Disputed Disputed 901, 902 | 26 | | | | | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-------------|-------|---|---------------------|-------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Scherbinske Re: Edward | | | (S&A) ER | |
| 4 | | Jones Delivery Notice | | | 402, 403, 901, 902 | |
| 5 | | | | | (CV) ER | |
| - II | | Email from Mike Cohen | | | 402, 403, | |
| • | 1169 | to Jennifer Andlovec, Jim Scherbinske Re: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | C&M - Edward Jones | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Tenant Work A/P | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| \parallel | 1150 | to Jim Scherbinske, | | | 901, 902 | |
| \parallel | 1170 | Kareen Seerley, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Cohen Re: Note for DM | (S&A) | (S&A) | 402, 403, | |
| | | Kelly | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| \parallel | 1171 | Email from Mike Cohen to Jennifer Andlovec, | | | 901, 902 (S&A) ER | |
| | | Hayley Cole Re: please | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | approve - checks to be | (S&A) | (S&A) | 801, 802, | |
| | | signed | Disputed | Disputed | 901, 902 | |
| ١ | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 1172 | Email from Mike Cohen | | | 901, 902 | |
| | | to Rod McCarten, Hayley Cole Re: Door | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | VE Option (for Frontier | (S&A) | (S&A) | 801, 802, | |
| | | benefit) | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| $\ $ | 1173 | to Jim Scherbinske, | | | 901, 902 | |
| | 11/3 | Yuchun Santory, Kareen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Seerley, Loren Cohen Re: Note for DM Kelly | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | Tec. 110to 101 Divi feelly | Disputed | Disputed | (CV) ER | |
| | 1174 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | 11/4 | to Hayley Cole, Matt | (S&A) | (S&A) | 801, 802, | |
| | | Cyr, Robert Fredrick Re: | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|---------------------|---------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | level 1 and 2 occupancy Rainier | | | (S&A) ER 402, 403, | |
| | Kamiei | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| 1175 | | | | 901, 902 | |
| 1175 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| | Thank you! | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1176 | | | | 901, 902 | |
| 11/0 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley ColeRe: | (S&A) | (S&A) | 801, 802, 901, 902 | |
| | Thank you! | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 1177 | Email from Mike Cohen | | | 901, 902 | |
| 11// | to Yuchun Santory, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Kareen Seerley Re: Note | (S&A) | (S&A) | 402, 403, | |
| | for DM Kelly | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1178 | | | | 901, 902 | |
| 11/0 | | | 4 | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Yuchun Santory Re: Market - Follow Up | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | Market - Pollow Op | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 1179 | Email from Mike Cohen | | | 901, 902 | |
| 11/7 | to Tracy Medina, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen, Hayley Cole Re: Edward Jones | (S&A) | (S&A) | 402, 403, | |
| | Edward Jones | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | Email from Mike Cohen | | | 402, 403, 801, 802, | |
| 5 | 1180 | to Rod McCarten, | | | 901, 902 | |
| | 1100 | Hayley Cole, Kareen | (CV) Diameted | (CV) Discrete 1 | (S&A) ER | |
| 6 | | Seerley Reschedule go to meeting to 2pm. Will | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | that work? | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 0 | | | | | 801, 802, | |
| 9 | 1181 | | | | 901, 902 | |
| 10 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 11 | | to Yuchun Santory Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 12 | | Market - Follow Up | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| 13 | | | | | 801, 802, | |
| 14 | 1182 | | | | 901, 902 | |
| 15 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 16 | | to Yuchun Santory Re: | (S&A) | (S&A) | 801, 802, | |
| | | Market - Roll Up doors | Disputed | Disputed | 901, 902 | |
| 17 | | | | | (CV) ER 402, 403, | |
| 18 | | Email from Mike Cohen | | | 801, 802, | |
| 19 | 1183 | to Rod McCarten, Hayley Cole, Kareen | | | 901, 902 (S&A) ER | |
| | | Seerley Re: Reschedule | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 20 | | go to meeting to 2pm. | (S&A) | (S&A) | 801, 802, | |
| 21 | | Will that work? | Disputed | Disputed | 901, 902 (CV) ER | |
| 22 | | | | | 402, 403, | |
| 23 | | | | | 801, 802, | |
| | 1184 | | | | 901, 902 (S&A) ER | |
| 24 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 25 | | to Yuchun Santory Re: | (S&A) | (S&A) | 801, 802, | |
| 26 | | Market - Roll Up doors | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | | | |
| 4 | | to Lee Cohen, Hayley Cole, Yuchun Santory, | | | (CV) ER 402, 403, | |
| | 1185 | Bill Felker, Octavio | | | 901, 902 | |
| 5 | | Muro-Lamas, Eric | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 6 | | Raygoza, Loren Cohen Re: bld. 7 garage leaks | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 7 | | rec. old. / garage leaks | Disputed | Disputed | (CV) ER | |
| 8 | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| 9 | 1186 | Email from Mike Cohen | | | (S&A) ER | |
| 10 | | to Hayley Cole building | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 11 | | 4 schedule and budget review | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | Email from Mike Cohen | Disputed | Disputed | (CV) ER | |
| 12 | | to Rod McCarten, | | | 402, 403, | |
| 13 | 1187 | Hayley Cole, Loren Cohen building 4 | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 14 | | schedule and budget | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | review | Disputed | Disputed | 901, 902 | |
| 15 | | | | | (CV) ER 402, 403, | |
| 16 | | | | | 801, 802, | |
| 17 | 1188 | | | | 901, 902 | |
| 10 | 1100 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 18 | | to Susan Thomas building 4 schedule and | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 19 | | budget review | Disputed | Disputed | 901, 902 | |
| 20 | | Email from Mike Cohen | | | | |
| 21 | | to Loren Cohen, Yuchun Santory, Hayley Cole, | | | (CV) ER | |
| | 1189 | Bill Felker, Doug | | | 402, 403, | |
| 22 | 1109 | Medling, Paul Quinlisk, | (CIV) D: | (CIV) D: 4 1 | 901, 902 | |
| 23 | | Lee CohenRe: No available parking at bld | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 24 | | 7 | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| 25 | 1190 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 26 | | to Yuchun Santory Re: Market - Roll Up doors | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | | | | , | |

| | | DEFENDANT'S | | | | |
|---------|-------|---|-------------------------|-------------------------|---------------------------|----------|
| L | | EXHIBITS | | | | |
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| $\ \ $ | | | | | (S&A) ER | |
| | | | | | 402, 403, 801, 802, | |
| | | | | | 901, 902, | |
| ╟ | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | 1191 | Email from Mike Cohen | | | 901, 902 | |
| $\ $ | 1171 | to Yuchun Santory, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Loren Cohen Re: | (S&A) | (S&A) | 402, 403, | |
| ╟ | | Parking | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 901, 902 | |
| | 1192 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | to Hayley Cole Re: | (S&A) | (S&A) | 402, 403, | |
| L | | Thank you! | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | | Email from Miles Caler | | | 801, 802, | |
| | 1193 | Email from Mike Cohen to Kareen Seerley, | | | 901, 902 (S&A) ER | |
| | | Yuchun Santory status | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | DM Kelly signing | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | unconitional | Disputed | Disputed | 901, 902 | |
| | | | | • | (CV) ER | |
| | | | | | 402, 403, | |
| | | T 110 1511 51 | | | 801, 802, | |
| | 1194 | Email from Mike Cohen | | | 901, 902 | |
| | | to Kareen Seerley, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Yuchun Santory, Bill Felker RE: FINAL LW | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| | | UPDATE 9.24.2020 | Disputed | Disputed | 901, 902 | |
| | | T 110 1511 5 1 | - | - | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| | 1195 | to Jennifer Andlovec, Loren Cohen RE: Art at | (CV) Disputad | (CV) Disputed | 901, 902 (S & A) ED | |
| | | Point Ruston - funds | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | needed to pay a/p | Disputed | Disputed | 901, 902 | |
| 1 | | | F | F | , | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|-------------------------|-------------------------|-------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1196 | Email from Mike Cohen to Kareen Seerley, | | | 901, 902 (S&A) ER | |
| 6 | | Yuchun Santory, Bill Felker RE: FINAL LW | (CV) Disputed (S&A) | (CV) Disputed | 402, 403, 801, 802, | |
| 7 | | UPDATE 9.24.2020 | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 9 | 1197 | Email from Mike Cohen to Tracy Medina, Loren | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 10 | | Cohen FW: Yuchun Santory | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 11 | | Suntory | Disputed | Bisparea | (CV) ER | |
| 12 | | | | | 402, 403, 801, 802, | |
| 13 | 1198 | | | | 901, 902 | |
| | | Email from Miles Cohon | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 14 | | Email from Mike Cohen to Yuchun Santory RE: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 15 | | Yuchun Santory | Disputed | Disputed | 901, 902 | |
| 16 | | | | | (CV) ER 402, 403, | |
| 17 | 1199 | Email from Mike Cohen | (| (| 901, 902 | |
| 18 | | to Yuchun Santory, Loren CohenRE: Point | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 19 | | Ruston - | Disputed | Disputed | 901, 902 | |
| 20 | | | | | (CV) ER 402, 403, | |
| 21 | 1200 | | | | 801, 802, 901, 902 | |
| | 1200 | Email from Mike Cohen | | | (S&A) ER | |
| 22 | | to Yuchun Santory, Rick, Jan RE: Point | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 23 | | Ruston - | Disputed | Disputed | 901, 902 | |
| 24 | | Email from Mike Cohen | (GIN D: | | (CV) ER | |
| 25 | 1201 | to Kareen Seerley, Jennifer Andlovec, | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 901, 902 | |
| | | Yuchun Santory, Loren | Disputed | Disputed | (S&A) ER | |
| 26 | | | | | | |

| | DEFENDANT'S EXHIBITS | | | | |
|------|--|-------------------------|------------------------|--------------------------|-------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admit |
| | Cohen FW: Point | | | 402, 403, | |
| | Ruston - | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 1202 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Yuchun Santory RE: | (S&A) | (S&A) | 801, 802, | |
| | DM Kelly | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1203 | Email from Mike Cohen | | | (S&A) ER | |
| | to Jan Gerk, Yuchun | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Santory, Rick Witters | (S&A) | (S&A) | 801, 802, | |
| | RE: Point Ruston - | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Kareen Seerley, | | | 402, 403, | |
| 1204 | Jennifer Andlovec, | (orn p: | (GID D: 1 | 901, 902 | |
| | Loren Cohen, Yuchun | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Santory FW: Point Ruston - | (S&A) | (S&A) | 402, 403, | |
| | Rusion - | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| 1005 | Email from Mike Cohen | | | 901, 902 | |
| 1205 | to Loren Cohen, Jennifer | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Andlovec Re: Bldg 7 | (S&A) | (S&A) | 402, 403, | |
| | Change Order | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | E 16 M1 61 | | | 402, 403, | |
| 1206 | Email from Mike Cohen | (CV) Diameta 1 | (CV) Disputed | 901, 902 (S & A) ED | |
| | to Loren Cohen, Tracy Medina Re: Yuchun | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Santory | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| 1207 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 1207 | to Loren Cohen Re: | (S&A) | (S&A) | 901, 902 | |
| | Yuchun Santory | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|------|---|---------------------|---------------------|------------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| 1208 | | | | 901, 902 | |
| 1208 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Julie Bernsten Re: | (S&A) | (S&A) | 801, 802, | |
| | Updated Rainier Sales | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| 1209 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Lee Cohen Re: fence | (S&A) | (S&A) | 402, 403, | |
| | needs removed | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1210 | | | | 901, 902 (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Julie Bernsten Re: | (S&A) | (S&A) | 801, 802, | |
| | Updated Rainier Sales | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1211 | D 36 M3 61 | (CID D: 1 | (CID D: 4.1 | 901, 902 | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Jennifer Andlovec Re: checks to be signed | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | checks to be signed | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1212 | | | | 901, 902 | |
| 1212 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Jennifer Andlovec lot | (S&A) | (S&A) | 801, 802, | |
| | 7 funding | Disputed | Disputed | 901, 902 | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1213 | | | | 901, 902 | |
| | 1213 | Email from Mike Cohen to Kareen Seerley Pls | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 6 | | send updated | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | unconditionals | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 9 | | | | | 801, 802, | |
| | 1214 | | | | 901, 902 | |
| 10 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 11 | | to Jennifer Andlovec Re: | (S&A) | (S&A) | 801, 802, | |
| 12 | | lot 7 funding | Disputed | Disputed | 901, 902 | |
| 13 | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| 14 | 1215 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 15 | | to Jennifer Andlovec Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 16 | | FINAL LW UPDATE | (S&A) | (S&A) | 801, 802, | |
| 17 | | 9.24.2020 | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| 18 | 1216 | Email from Mike Cohen to Yuchun Santory Fwd: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ED | |
| 19 | | Bldg 7 - Pmt to Cressy | (CV) Disputed (S&A) | (CV) Disputed | (S&A) ER 402, 403, | |
| 20 | | Door | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen to Loren Cohen, Terri | | | | |
| 21 | | Escritor, Stacy | | | (CV) ER | |
| 22 | 1217 | Carkonen, Victoria | | | 402, 403, | |
| 23 | | Willing RE: PROPERTY AND | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 24 | | LOSS | (S&A) | (S&A) | 402, 403, | |
| | | REIMBURSEMENT | Disputed | Disputed | 901, 902 | |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|-------------------------|--------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen to Loren Cohen, Terri | | | | |
| 4 | | Escritor, Stacy | | | (CV) ER | |
| 5 | 1218 | Carkonen, Victoria Willing RE: | | | 402, 403, 901, 902 | |
| 6 | | PROPERTY AND LOSS | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 7 | | REIMBURSEMENT | Disputed | Disputed | 901, 902 | |
| 8 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 9 | 1219 | to Loren Cohen FW: PROPERTY AND | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 10 | | LOSS | (S&A) | (S&A) | 402, 403, | |
| 11 | | REIMBURSEMENT | Disputed | Disputed | 901, 902 (CV) ER | |
| 12 | | Email from Mike Cohen to Stacy Carkonen RE: | | | 402, 403, 901, 902 | |
| 13 | 1220 | PROPERTY AND LOSS | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 14 | | REIMBURSEMENT | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 15 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 16 | 1221 | to Stacy Carkonen RE: PROPERTY AND | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 17 | | LOSS | (S&A) | (S&A) | 402, 403, | |
| 18 | | REIMBURSEMENT | Disputed | Disputed | 901, 902 (CV) ER | |
| 19 | | | | | 402, 403, 801, 802, | |
| 20 | 1222 | Email from Mike Cohen | | | 901, 902 | |
| 21 | | to Kareen Seerley RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 22 | | Pls send updated unconditionals | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 23 | | Email from Mike Cohen | • | • | (CV) ER 402, 403, | |
| 24 | 1223 | to Hayley Cole, Eric | (| (0.00) | 801, 802, | |
| 25 | | Raygoza RE: Baker Building Fireplace | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| 26 | | Remote Issue Revisited | Disputed | Disputed | 402, 403, | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 801, 802, | |
| 4 | | | | | 901, 902 | |
| 5 | | | | | (CV) ER | |
| 6 | | | | | 402, 403, | |
| 7 | 1224 | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 8 | 1224 | to Tracy Medina Read: Yuchun's Annual | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 9 | | Agreed Upon Increase & | (S&A) | (S&A) | 801, 802, | |
| 10 | | Bonuses | Disputed | Disputed | 901, 902 (CV) ER | |
| 11 | | Email from Mike Cohen to Tracy Medina, Loren | | | 402, 403, 901, 902 | |
| 12 | 1225 | CohenRe: Yuchun's | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 13 | | Annual Agreed Upon Increase & Bonuses | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 14 | | | • | • | (CV) ER | |
| 15 | | | | | 402, 403, 801, 802, | |
| | 1226 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 16 | | to Jennifer Andlovec, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 17 | | Hayley Cole Re: FINAL LW UPDATE 9.24.2020 | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 18 | | | • | • | (CV) ER | |
| 19 | | | | | 402, 403, 801, 802, | |
| 20 | 1227 | | | | 901, 902 (S&A) ER | |
| 21 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 22 | | to Kareen Seerley Unconditionals | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 23 | | | | • | (CV) ER | |
| 24 | 1228 | Email from Mike Cohen | | | 402, 403, 801, 802, | |
| 25 | 1220 | to Jennifer Andlovec Any word on lot 7 draw | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| 26 | | funding? | Disputed | Disputed | 402, 403, | |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|------|--|--------------------------|-------------------------|------------------------|----------|
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | # | | | | 801, 802, | |
| | | | | | 901, 902 | |
| | | | | | | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | 1229 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | to Loren Cohen, Lee | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Cohen Re: link to photos | Disputed | Disputed | 901, 902 | |
| l | | • | • | • | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1230 | | | | 901, 902 | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | to Jennifer Andlovec | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | Dm kelly | Disputed | Disputed | 901, 902 | |
| | | • | • | • | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| | 1231 | to Tracy Medina, Loren | (077) 73 | (orn n: | 901, 902 | |
| | | Cohen Re: Yuchun's | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Annual Agreed Upon Increase & Bonuses | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| ŀ | | merease & Bonuses | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1232 | - 40 | | | 901, 902 | |
| | 1202 | Email from Mike Cohen | (CI) D' 1 | (CV) D' 1 | (S&A) ER | |
| | | to Jennifer Andlovec Re: Any word on lot 7 draw | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | funding? | Disputed | Disputed | 901, 902, | |
| | | randing: | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1233 | | | | 901, 902 | |
| | 1233 | Email from Mike Cohen | (CV) D: 4 1 | (CV) D: 4 1 | (S&A) ER | |
| | | to Kareen Seerley, Yuchun Santory Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Unconditionals | Disputed | Disputed | 901, 902, | |
| ١ | | Chechardonais | Disputed | Disputed | 701,702 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|--------|------|---|-------------------------------------|-------------------------------------|-------------------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 4 | | | | | (CV) ER 402, 403, | |
| 5 | 1234 | Email from Mike Cohen to Hayley Cole, Russ | | | 801, 802, 901, 902 (S&A) ER | |
| 6 | | Wickett Re: town of Ruston work bond | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| 7 | | release | Disputed | Disputed | 901, 902 (CV) ER | |
| 8 9 | | | | | 402, 403, 801, 802, | |
| 0 | 1235 | Email from Mike Cohen | (CIV) D: 1 | (CIV) D | 901, 902 (S&A) ER | |
| 1 | | to Hayley Cole Re: town of Ruston work bond release | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | 402, 403, 801, 802, 901, 902 | |
| 2 | | Email from Mike Cohen | Disputed | Disputed | (CV) ER 402, 403, | |
| 13 | 1236 | to Hayley Cole, Bill Felker, Yuchun Santory, | | | 801, 802, 901, 902 | |
| .5 | 1230 | Doug Medling Re: ceiling lights in | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 6 | | assembly room (community room) | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 7 8 | | | | | (CV) ER 402, 403, 901, 902 | |
| 9 | 1237 | Email from Mike Cohen to Hayley Cole Re: Note | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 0 | | for DM Kelly Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 1 | | to Loren Cohen, Jim Scherbinske, Kareen | | | (CV) ER | |
| 2 3 | 1238 | Seerley, Hayley Cole Re: Unconditional, Final | | | 402, 403, 901, 902 | |
| 24 | | lien releases – Point Ruston - Gen-Care | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 5 | | Senior Living | Disputed | Disputed | 901, 902 | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|-------------------------------------|-------------------------------------|------------------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | | | |
| 4 | | to Loren Cohen, Jim Scherbinske, Kareen | | | (CV) ER | |
| 5 | 1239 | Seerley, Hayley Cole Re: Unconditional, Final | | | 402, 403, 901, 902 | |
| 6 | | lien releases – Point Ruston - Gen-Care | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 7 | | Senior Living | Disputed | Disputed | 901, 902 (CV) ER | |
| 8 | | | | | 402, 403, | |
| 9 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 10 | 1240 | to Hayley Cole Re: | (CV) Diameter 1 | (CV) Disputed | (S&A) ER | |
| 11 | | ceiling lights in assembly room | (CV) Disputed (S&A) | (CV) Disputed | 402, 403, 801, 802, | |
| 12 | | (community room) | Disputed | Disputed | 901, 902 | |
| 13 | | | | | (CV) ER 402, 403, | |
| 14 | | | | | 801, 802, 901, 902 | |
| 15 | 1241 | Email from Mike Cohen | (CV) Disputed | (CV) Diameted | (S&A) ER | |
| 16 | | to Kareen Seerley, Hayley Cole, Bill Felker RE: Attached Image | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | 402, 403, 801, 802, 901, 902 | |
| 17 | | RE. Attached image | Disputed | Disputed | (CV) ER | |
| 18 | | | | | 402, 403, 801, 802, | |
| 19 | 1242 | Email from Mike Cohen | | | 901, 902 | |
| | | to Robert Fredrick, Alex Wardi, Matt Cyr RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 20 | | Grocery Store Health | (S&A) | (S&A) | 801, 802, 901, 902 | |
| 21 | | Dept Suggestions | Disputed | Disputed | (CV) ER | |
| 22 | | | | | 402, 403, 801, 802, | |
| 23 | 1243 | | | | 901, 902 | |
| 24 | | Email from Mike Cohen to Kareen Seerley, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 25 | | Hayley Cole, Bill Felker | (S&A) | (S&A) | 801, 802, | |
| 26 | | RE: Attached Image | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|--------------------------|--------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1244 | | | | 901, 902 | |
| | 1244 | Email from Mike Cohen | (CV) Diameted | (CV) Directed | (S&A) ER | |
| 6 | | to Yuchun Santory RE: GO TO MEETING - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | BUILDING 11 | Disputed | Disputed | 901, 902 | |
| 8 | | Email from Mike Cohen to Loren Cohen, Jennifer | | | | |
| 9 | | Andlovec, Jim | | | | |
| | 1045 | Scherbinske, Ashley | | | (CV) ER | |
| 10 | 1245 | Samuel, Victoria Willing, Tracy Medina | | | 402, 403, 901, 902 | |
| 11 | | RE: Building 7 | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 12 | | Construction Draw - | (S&A) | (S&A) | 402, 403, | |
| 13 | | 758216/ 0131506-TC Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | | to Loren Cohen, Jennifer | | | (CV) ER | |
| 14 | 1246 | Andlovec, Jim Scherbinske, Ashley | | | 402, 403, 901, 902 | |
| 15 | 1240 | Samuel RE: Building 7 | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 16 | | Construction Draw - | (S&A) | (S&A) | 402, 403, | |
| | | 758216/ 0131506-TC Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| 17 | | to Michael Foley, Loren | | | 402, 403, | |
| 18 | 1247 | Cohen, Hayley Cole, Jim | (CV) D: | (CIV) D:1 | 901, 902 | |
| 19 | | Scherbinske RE: ThunderDome | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 20 | | Commission Invoice | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 21 | 1040 | to Tracy Medina, Loren | | | 901, 902 | |
| 22 | 1248 | Cohen RE: Yuchun's | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 23 | | Annual Agreed Upon Increase & Bonuses | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 24 | | Email from Mike Cohen | Disputed | Disputed | (CV) ER | |
| | 1249 | to Michael Foley RE: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 25 | | ThunderDome Commission Invoice | (S&A) Disputed | (S&A) Disputed | 901, 902 (S&A) ER | |
| 26 | | | | · [| | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|---------------|---------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 1250 | to Loren Cohen FW: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | ThunderDome | (S&A) | (S&A) | 402, 403, | |
| | Commission Invoice | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Michael Foley, Loren Cohen RE: Invoice | | | 402, 403, 901, 902 | |
| 1251 | Attached - | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | ThunderDome lease - | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | invoice paid | Disputed | Disputed | 901, 902 | |
| | • | • | • | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1252 | Email from Deirdre | | | 901, 902 (S&A) ER | |
| | Kurian on healf of Mike | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Cohen to Deirdre Kurian | (S&A) | (S&A) | 801, 802, | |
| | FW: FW: Payment | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1253 | Email from Deirdre | | | (S&A) ER | |
| | Kurian on healf of Mike | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Cohen to Deirdre Kurian | (S&A) | (S&A) | 801, 802, | |
| | FW: RE: Payment | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Deirdre | | | 801, 802, 901, 902 | |
| 1254 | Kurian on healf of Mike | | | (S&A) ER | |
| | Cohen to Deirdre Kurian | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | FW: FW: November | (S&A) | (S&A) | 801, 802, | |
| | payments?? | Disputed | Disputed | 901, 902 | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|--------------------------|--------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | π | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1255 | Email from Deirdre | | | 901, 902 (S&A) ER | |
| 6 | | Kurian on healf of Mike | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 7 | | Cohen to Deirdre Kurian FW: RE: Payment | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 9 | 1256 | Email from Deirdre Kurian on healf of Mike | | | 801, 802, 901 (S&A) | |
| 10 | 1230 | Cohen to Deirdre Kurian | (CV) Disputed | (CV) Disputed | ER 402, 403, | |
| 11 | | FW: FW: Pt. Ruston November payments? | (S&A) Disputed | (S&A) Disputed | 801, 802, 901 | |
| 12 | | Email from Mike Cohen to Yuchun Santory, | | | (CV) ER 402, 403, | |
| 13 | | Hayley Cole Re: Collection Assistance | | | 801, 802, | |
| 14 | 1257 | Needed Customer | | | 901, 902 (S&A) ER | |
| 15 | | 1037184 Customer Name POINT RUSTON | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 16 | | LLC Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 17 | | to Yuchun Santory, | | | | |
| 18 | | Jennifer Andlovec, Kareen Seerley, Hayley | | | | |
| 19 | 1258 | Cole, Loren Cohen Re: Collection Assistance | | | (CV) ER 402, 403, | |
| 20 | | Needed Customer 1037184 Customer | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 21 | | Name POINT RUSTON | (S&A) | (S&A) | 402, 403, | |
| 22 | | LLC | Disputed | Disputed | 901, 902 (CV) ER | |
| 23 | | | | | 402, 403, 801, 802, | |
| 24 | 1259 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 25 | | to Hayley Cole, Russ | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 26 | | Wickett Re: Nisqually Bluff | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |

| | DEFENDANT'S | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1260 | Email from Mike Cohen | | | | |
| | to MargoCB, Amanda | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | 1 3 | | | |
| | | • | 1 | (CV) ER | |
| | | | | | |
| 1261 | | | | 901, 902 | |
| | | (CV) Disputed | (CV) Disputed | | |
| | JohnsonRe: Unit 510 | (S&A) | (S&A) | 801, 802, | |
| | ADA revision | Disputed | Disputed | | |
| | | | | 402, 403, | |
| | | | | | |
| 1262 | | | | (S&A) ER | |
| | | | | | |
| | to g&g | Disputed | Disputed | 901, 902 | |
| | | | | ` ' | |
| | | | | 801, 802, | |
| 1263 | Email from Mike Cohen | | | 901, 902 (S&A) FR | |
| | Annual Longevity | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | 1 3 | 1.5 | | |
| | | _ 25p 5000 | _ 25p 3114 | (CV) ER | |
| | | | | | |
| 1264 | Yuchun's Annual | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | _ | | | | |
| | | | | 1 , | 1 |
| | # 1260 1261 | # 1260 Email from Mike Cohen to MargoCB, Amanda JohnsonFwd: Unit 510 ADA revision 1261 Email from Mike Cohen to MargoCB, Amanda JohnsonRe: Unit 510 ADA revision 1262 Email from Mike Cohen to Hayley Cole Re: draft to g&g 1263 Email from Mike Cohen to Tracy Medina Re: Annual Longevity Bonus & 401K Company Match Email from Mike Cohen to Tracy Medina Re: Email from Mike Cohen to Tracy Medina Re: | EX. # Description Authenticity 1260 | Ex. # Description Authenticity Admissibility Email from Mike Cohen to MargoCB, Amanda JohnsonFwd: Unit 510 ADA revision | EXHIBITS |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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| | | DEFENDANT'S EXHIBITS | | | | |
|---|-------|---|--------------------------|-------------------------|------------------------|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 1265 | Email from Mike Cohen | | | 901, 902 | |
| | 1203 | to Tracy Medina Re: | (CID D: 1 | (OTD D: 1 | (S&A) ER | |
| | | Annual Longevity Bonus & 401K | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Company Match | Disputed | Disputed | 901, 902 | |
| | | | • | • | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| | 1266 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Octavio Muro-Lamas | (S&A) | (S&A) | 801, 802, | |
| | | Status at market | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1267 | Email from Mike Cohen | | | 901, 902 | |
| | | to Tracy Medina Re: Annual Bonuses, 401K | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Company Match & Loan | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | Balance | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | 1268 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | to Loren Cohen Fwd: | (S&A) | (S&A) | 402, 403, | |
| | | Yuchun - DRAFT | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| l | 10.00 | | | | 901, 902 | |
| | 1269 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Octavio Muro-Lamas Re: Status at market | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (CV) ER | |
| | 1270 | to Tracy Medina, Loren | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Cohen Re: Annual | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-------------|-------|---|---------------|---------------|-----------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Bonuses, 401K | | | (S&A) ER | |
| , | | Company Match, & | | | 402, 403, | |
| \parallel | | Loan Balance | | | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER | |
| $\ $ | | to Tracy Medina, Loren Cohen Re: Annual | | | 402, 403, 901, 902 | |
| l | 1271 | Bonuses, 401K | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Company Match, & | (S&A) | (S&A) | 402, 403, | |
| | | Loan Balance | Disputed | Disputed | 901, 902 | |
| | | | • | | (CV) ER | |
| l | | | | | 402, 403, | |
| l | | | | | 801, 802, | |
| l | 1272 | T '16 M'1 G1 | | | 901, 902 | |
| ı | | Email from Mike Cohen to MargoCB, Amanda | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| ١ | | JohnsonRE: Unit 510 | (CV) Disputed | (CV) Disputed | 801, 802, | |
| ı | | ADA revision | Disputed | Disputed | 901, 902 | |
| l | | | | | (CV) ER | |
| l | | Email from Mike Cohen | | | 402, 403, | |
| l | 1273 | to Tracy Medina RE: | | | 901, 902 | |
| | 1275 | Annual Bonuses, 401K | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Company Match, & | (S&A) | (S&A) | 402, 403, | |
| | | Loan Balance Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | | to Loren Cohen, Yuchun | | | (CV) ER 402, 403, | |
| | | Santory, Rod McCarten, | | | 901, 902 | |
| | 1274 | Bill Felker, Lee Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | RE: labor ready theft | (S&A) | (S&A) | 402, 403, | |
| ١ | | incident | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| ١ | | | | | 402, 403, | |
| ١ | | | | | 801, 802, 901, 902 | |
| | 1275 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Michael Foley RE: | (S&A) | (S&A) | 801, 802, | |
| | | meet today? | Disputed | Disputed | 901, 902 | |
| ١ | | Email from Mike Cohen | | | (CV) ER | |
| | 1276 | to Yuchun Santory, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Loren Cohen, Rod | (S&A) | (S&A) | 901, 902 | |
| | | McCarten, Bill Felker, | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|---------------------|---------------------|------------------------|---------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitte |
| | Lee Cohen RE: labor | | | 402, 403, | |
| | ready theft incident | | | 901, 902 | |
| | Email from Mike Cohen to Stacy Carkonen, | | | | |
| | Loren Cohen, Terri | | | (CV) ER | |
| 1277 | Escritor, Victoria | | | 402, 403, | |
| | Willing RE: PROPERTY AND | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | LOSS | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | REIMBURSEMENT | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1278 | to Stacy Carkonen RE: | (CIV) D: 4 1 | (CV) D: 4 1 | 901, 902 | |
| | PROPERTY AND LOSS | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | REIMBURSEMENT | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | REMIDORSEMENT | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1279 | | | | 901, 902 | |
| 12// | F 16 M1 G1 | (CID D: 1 | (CID D: 1 | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Jennifer Andlovec any update on lot 7 funding | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | update on for 7 funding | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1280 | | | | 901, 902 | |
| 1200 | Email from Mike Cohen | (OT) = 1 | (077) 71 | (S&A) ER | |
| | to Hayley Cole, Jennifer | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Andlovec RE: Oly Fireplace | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | Email from Mike Cohen | Disputed | Disputed | 701, 902 | |
| | to Jennifer Andlovec, | | | (CV) ER | |
| | Loren Cohen, Jim | | | 402, 403, | |
| 1281 | Scherbinske RE: | | | 901, 902 | |
| | Building 7 Construction | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Draw - 758216/ | (S&A) | (S&A) | 402, 403, | |
| | 0131506-TC | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|---------|--------------|--|-------------------------------------|-------------------------------------|-----------------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | | | |
| 4 | | to Ashely Samuel, Michael Foley, Hayley | | | (CV) ER 402, 403, | |
| 5 | 1282 | Cole, Loren Cohen RE: Building 7 Construction | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 6 | | Draw - 758216/ 0131506-TC | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 7 8 | | Email from Mike Cohen to Victoria Willing, | | | (CV) ER | |
| 9 | 1283 | Stacy Carkonen, Terri Escritor RE: | (CID D | (07) | 402, 403, 901, 902 | |
| 10 | | PROPERTY AND LOSS REIMBURSEMENT | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (S&A) ER 402, 403, 901, 902 | |
| 11 | | REMINIBORGEMENT | Disputed | Dispated | (CV) ER | |
| 12 | 1284 | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 13 | 1204 | to Jennifer Andlovec, Hayley Cole, Loren | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 14 | | Cohen Re: Oly Fireplace | Disputed | Disputed | 901, 902 | |
| 15 | | | | | (CV) ER 402, 403, | |
| 16 | 1285 | E 16 M 61 | | | 801, 802, 901, 902 | |
| 17 | | Email from Mike Cohen to Hayley Cole building | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 18 | | 4 budget, c.o., and subcontract review | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 19 | | Email from Mike Cohen | • | • | (CV) ER 402, 403, | |
| 20 21 | 1286 | to Rod McCarten, Hayley Cole, Kareen | | | 802, 901, 902 (S&A) | |
| 22 | | Seerley building 4 budget, c.o., and | (CV) Disputed (S&A) | (CV) Disputed (S&A) | ER 402, 403, 802, 901, | |
| 23 | | subcontract review | Disputed | Disputed | 902 | |
| 24 | 1287 | Email from Mike Cohen to Susan Thomas | (CV) Disputed | (CV) Disputed | (CV) ER 402, 403, 802, 901, | |
| 25 | | building 4 budget, c.o., and subcontract review | (S&A) Disputed | (S&A) Disputed | 902 (S&A) ER 402, 403, | |
| 26 | | and subconfidet feview | Disputed | Disputed | DIC 402, 403, | I |

| | DEFENDANT'S | | | | |
|------|---|-------------------------|------------------------|------------------------|----------|
| | EXHIBITS | | | | |
| Ex. | Description | Authenticity | Admissibility | Objection | Admitt |
| # | | , | , | 3 | |
| | | | | 802, 901, | |
| | | | | 902 | |
| | | | | | |
| | | | | (CII) ED | |
| | | | | (CV) ER 402, 403, | |
| | | | | 802, 901, | |
| 1288 | Email from Mike Cohen | | | 902 (S&A) | |
| | to Eric Raygoza, Hayley | (CV) Disputed | (CV) Disputed | ER 402, 403, | |
| | Cole Baker fireplace | (S&A) | (S&A) | 802, 901, | |
| | remote discussion | Disputed | Disputed | 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1200 | | | | 802, 901, | |
| 1289 | Empil from Miles Colon | (CV) Diameter 1 | (CV) Diameted | 902 (S&A) | |
| | Email from Mike Cohen to Jennifer Andlovec | (CV) Disputed | (CV) Disputed (S&A) | ER 402, 403, 802, 901, | |
| | Any word on 7 funding? | Disputed | Disputed | 902, 901, | |
| | This word on 7 fanding: | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 802, 901, | |
| 1290 | Email from Mike Cohen | | | 902 (S&A) | |
| | to Jennifer Andlovec, | (CV) Disputed | (CV) Disputed | ER 402, 403, | |
| | Hayley Cole Re: | (S&A) | (S&A) | 802, 901, | |
| | September Draw Check | Disputed | Disputed | 902 | |
| | | | | (CV) ER 402, 403, | |
| | Email from Mike Cohen | | | 802, 901, | |
| 1291 | to MargoCB, Amanda | | | 902 (S&A) | |
| | Johnson. Hayley Cole | (CV) Disputed | (CV) Disputed | ER 402, 403, | |
| | Re: New message from | (S&A) | (S&A) | 802, 901, | |
| | Nazerine Howard | Disputed | Disputed | 902 | |
| | | | | (CV) ER | |
| | T 110 301 01 | | | 402, 403, | |
| 1292 | Email from Mike Cohen | (CV) D: | (CV) Dimented | 901, 902 | |
| | to Kareen Seerley, Jim Scherbinske Re: LW | (CV) Disputed (S&A) | (CV) Disputed | (S&A) ER 402, 403, | |
| | UPDATE | Disputed | (S&A) Disputed | 901, 902 | |
| | OI DITTL | Disputed | Disputed | 701, 702 | <u> </u> |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen to Melissa Edwards, Jim | | | (CV) ER 402, 403, | |
| 4 | 1293 | Scherbinske Fwd: 2nd request FW: POI300 | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 5 | | northwest linings invoice C008449 | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 6 7 | | mvoice Cooo449 | Disputed | Disputed | (CV) ER 402, 403, | |
| 8 | 1294 | Email from Mike Cohen to Jennifer Andlovec, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 9 | | Loren Cohen Re: Any word on 7 funding? | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 10 | | word on / funding: | Disputed | Disputed | (CV) ER 402, 403, | |
| 11 | 1295 | Email from Mike Cohen to Kareen Seerley, Jim | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 12 | | Scherbinske Re: LW UPDATE | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 13 14 | | CIDAIL | Disputed | Disputed | (CV) ER 402, 403, | |
| 15 | | | | | 801, 802, 901, 902 | |
| 16 | 1296 | Email from Mike Cohen to Tracy Medina, Hayley | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 17 | | Cole Re: MCCI A/P Checks to sign | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 18 | | Checks to sign | Disputed | Disputed | (CV) ER 402, 403, | |
| 19 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 20 | 1297 | to Hayley Cole, Brian Williams Re: Public | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 21 22 | | Market Parking lot Banners | (S&A) | (S&A) | 801, 802, 901, 902 | |
| 23 | | Daillers | Disputed | Disputed | (CV) ER | |
| 24 | 1298 | Email from Mike Cohen | (CV) Diamete 1 | (CV) D: | 402, 403, 901, 902 (C.S.A.) ED | |
| 25 | | to Jennifer Andlovec, Loren Cohen Re: Any | (CV) Disputed (S&A) | (CV) Disputed | (S&A) ER 402, 403, | |
| 26 | | word on 7 funding? | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| 5 | 1299 | Email from Mike Cohen | | | (S&A) ER | |
| 6 | | to Tracy Medina Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 7 | | MCCI A/P Checks to sign | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | sign | Disputed | Disputed | (CV) ER | |
| 8 | | | | | 402, 403, | |
| 9 | 1300 | Email from Mike Cohen | (CID D: 1 | (CIV D. 1 | 901, 902 | |
| 10 | | to Loren Cohen, Jennifer Andlovec Re: Any word | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 10 | | on 7 funding? | Disputed | Disputed | 901, 902 | |
| 11 | | | • | • | (CV) ER | |
| 12 | | Email from Mike Cohen | | | 402, 403, | |
| | 1301 | to Jennifer Andlovec, Loren Cohen, Jim | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 13 | | Scherbinske Re: Any | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 14 | | word on 7 funding? | Disputed | Disputed | 901, 902 | |
| 15 | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| 16 | 1202 | | | | 901, 902 | |
| 17 | 1302 | | | | (S&A) ER | |
| 10 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 18 | | to Hayley Cole Re: Moen un-cashed check | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 19 | | 1710011 till Cashed Check | Disputed | Disputed | (CV) ER | |
| 20 | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| 21 | 1303 | | | | 901, 902 (S&A) ER | |
| 22 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 23 | | to Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| | | Moen un-cashed check | Disputed | Disputed | 901, 902 | |
| 24 | | | | | (CV) ER 402, 403, | |
| 25 | 1304 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | to Hayley Cole, Rod | (S&A) | (S&A) | 901, 902 | |
| 26 | | McCarten Re: fence rails | Disputed | Disputed | (S&A) ER | |

| Ex. # | Description | | | | |
|----------|---|--------------------------|-------------------------|-----------------------------|----------|
| | | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| | | | | (623) 55 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1305 | Email from Mike Cohen | | | (S&A) ER | |
| | to Kareen Seerley RE: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Pls send updated unconditionals | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | • | • | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| 1306 | | | | 901, 902 | |
| 1000 | Email from Mike Cohen to Brian Williams, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| | Photoshoot for Rainier | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| 1307 | Email from Mike Cohen | (CV) Disserted | (CV) Discrete 1 | 901, 902 | |
| | to Kareen Seerley, Jim Scherbinske Re: LW | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | UPDATE | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen to Jim Scherbinske, | | | (CV) ER | |
| 1308 | Kareen Seerley Fwd: | | | 402, 403, | |
| 1200 | Subcontractor releases – Point Ruston - Gen-Care | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901 (S&A) ER 402, 403, | |
| | Senior Living | Disputed | Disputed | 901 | |
| | Email from Mike Cohen to Yuchun Santory, Lee | | | (CV) ER 402, 403, | |
| 1309 | Cohen, Ron Clark, | | | 901, 902 | |
| 1309 | Hayley Cole, Rod | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | McCarten Re: Who's van? | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (CV) ER | |
| 1310 | to Kareen Seerley Re: LW UPDATE | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|--------------|--|-------------------------|-------------------------|-------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (S&A) ER | |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 901, 902 | |
| 1311 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Jennifer Andlovec Re: | (S&A) | (S&A) | 402, 403, | |
| | Any word on 7 funding? | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1312 | | | | 901, 902 | |
| | | (077) 7: | (223 23 | (S&A) ER | |
| | Email from Mike Cohen to Brian Williams Re: | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| | Photoshoot for Rainier | Disputed | (S&A) Disputed | 901, 902, | |
| | Thorospicot for ranner | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 1313 | _ | | | 901, 902 | |
| | Email from Mike Cohen to Jim Scherbinske Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER | |
| | Any word on 7 funding? | Disputed | Disputed | 402, 403, 901, 902 | |
| | Email from Mike Cohen | Disputed | Bisparea | (CV) ER | |
| | to Jim Scherbinske, | | | 402, 403, | |
| 1314 | Yuchun Santory, Bill | (CID D: 1 | (CID D: 1 | 901, 902 | |
| | Felker, Kareen Seerley RE: PMB Building 6 | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Unconditionals | (S&A) Disputed | (S&A) Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1315 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | to Michael Foley RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Grocery Store update - | (S&A) | (S&A) | 801, 802, | |
| | need schedule builder | Disputed | Disputed | 901, 902 | |
| | D 110 301 01 | (01) 5: | (01) 5: | (CV) ER | |
| 1316 | Email from Mike Cohen to Jim Scherbinske, | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, 901, 902 | |
| | Jennifer Andlovec, | Disputed | Disputed | (S&A) ER | |
| | Jeminer Androvec, | Disputed | Disputed | (Sun) Lit | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|------------------|------|--|--------------------------|------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Loren Cohen Re: Any | | | 402, 403, | |
| 4 | | word on 7 funding? | | | 901, 902 | |
| 5 | | | | | (CV) ER 402, 403, | |
| 6 | | | | | 801, 802, | |
| 7 | 1317 | Email from Mike Cohen | | | 901, 902 | |
| | | to Renee Teichmer Read: POI300 northwest | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 8 | | linings STATEMENT | (S&A) | (S&A) | 801, 802, | |
| 9 | | AND INVOICES | Disputed | Disputed | 901, 902 (CV) ER | |
| 10 | | | | | 402, 403, | |
| $_{11}\parallel$ | | | | | 801, 802, | |
| | 1318 | Email from Mike Cohen to Bill Felker, Hayley | | | 901, 902 (S&A) ER | |
| 12 | | Cole, Kareen Seerley | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 13 | | Re: Contemporary | (S&A) | (S&A) | 801, 802, | |
| $_{14}\parallel$ | | Exteriors-Gencare | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| 15 | | T '10 N'1 01 | | | 801, 802, | |
| 16 | 1319 | Email from Mike Cohen to Kareen Seerley, Bill | | | 901, 902 (S&A) ER | |
| 17 | | Felker, Hayley Cole Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 18 | | Contemporary Exteriors- | (S&A) | (S&A) | 801, 802, | |
| 10 | | Gencare | Disputed | Disputed | 901, 902 (CV) ER | |
| 19 | | | | | 402, 403, | |
| 20 | | | | | 801, 802, | |
| $_{21}$ | 1320 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | | to Rod McCarten, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 22 | | Hayley Cole Re: Found | (S&A) | (S&A) | 801, 802, | |
| 23 | | Wallet | Disputed | Disputed | 901, 902 (CV) ER | |
| 24 | | | | | 402, 403, | |
| | 1321 | Email from Mike Cohen | (CV) Di | (CV) D:t- 1 | 901, 902 | |
| 25 | | to Hayley Cole, Loren Cohen, Rod McCarten | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 26 | | Re: Fireplace Remote | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|-------------------------------------|-------------------------|---------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | 1322 | | | | 402, 403, 901, 902 | |
| 5 | 1322 | Email from Mike Cohen to Amara Foster Septic | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 6 | | inspection | Disputed | Disputed | 901, 902 | |
| 7 | | Email from Mike Cohen to Yuchun Santory, Jim | | | (CV) ER 402, 403, | |
| 8 | 1323 | Scherbinske, Kareen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 9 | | Seerley, Hayley Cole Re: Stripe Rite - Invoices | (CV) Disputed (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 10 | | THE COURT | Disputed | Disputed | (CV) ER | |
| 11 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 12 | 1324 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 13 | | Loren Cohen Re: AP Building 7 | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | | • | • | (CV) ER | |
| 14 | | | | | 402, 403, 801, 802, | |
| 15 | 1325 | | | | 901, 902 (C.S.A.) ED | |
| 16 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 17 | | to Hayley Cole Re: checks to stamp | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 18 | | checks to stamp | Disputed | Disputed | (CV) ER | |
| 19 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 20 | 1326 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 21 | | Loren Cohen Re: AP Building 7 | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 22 | | | • | • | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| 23 | 1327 | | | | 901, 902 | |
| 24 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 25 | | to Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| 26 | | checks to stamp | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|--------------------------------------|--------------------------------------|---|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 1328 | Email from Mike Cohen to Jim Scherbinske Bowers | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 1329 | Email from Mike Cohen to Hayley Cole Re: Trinity for Gencare | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 1330 | Email from Mike Cohen to Jim Scherbinske Re: Bowers | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 1331 | Email from Mike Cohen to Lee Cohen Fwd: How to Become a Mercury Sponsored Angler Linssen Grand Sturdy 45.0 AC Formula 34 PC | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 1332 | Email from Mike Cohen to Hayley Cole Re: checks to stamp | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 (S&A) ER 402, 403, 801, 802, 901, 902 | |
| 1333 | Email from Mike Cohen to Hayley Cole, Loren Cohen Re: space heaters | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | 1334 | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 5 | 1334 | to Hayley Cole, Jim Scherbinske Re: trinity | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 6 | | for gencare | Disputed | Disputed | 901, 902 | |
| 7 | | | | | (CV) ER 402, 403, | |
| 8 | 1335 | Email from Mike Cohen | (CID D: 1 | (CIV D: 1 | 901, 902 | |
| 9 | | to Hayley Cole, Jim Scherbinske Re: trinity | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 10 | | for gencare | Disputed | Disputed | 901, 902 (CV) ER | |
| 11 | | | | | 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 12 | 1336 | to Hayley Cole Re: | | | (S&A) ER | |
| 13 | | Subcontractor releases – Point Ruston - Gen-Care | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 14 | | Senior Living | Disputed | Disputed | 901, 902 | |
| 15 | | | | | (CV) ER 402, 403, | |
| 16 | 1337 | Email from Mike Cohen | (CV) Discrete d | (CV) Diamete 1 | 901, 902 | |
| 17 | | to Hayley Cole, Jim Scherbinske Re: trinity | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | for gencare | Disputed | Disputed | 901, 902 | |
| 18 | | Email from Mike Cohen to Melissa Edwards, | | | (CV) ER 402, 403, | |
| 19 | 1338 | Yuchun Santory, Jim | | | 901, 902 | |
| 20 | 1555 | Scherbinske, Loren Cohen Re: Laborworks - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 21 | | Bldg 7 | Disputed | Disputed | 901, 902 | |
| 22 | | | | | (CV) ER 402, 403, | |
| 23 | | | | | 801, 802, | |
| | 1339 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 24 | | to Dennis Greenwalt, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 25 | | Hayley Cole Re: century | (S&A) | (S&A) | 801, 802, | |
| 26 | | link | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1340 | Email from Mike Cohen | | | 901, 902 | |
| 6 | | to Dennis Greenwalt, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Hayley Cole Re: century | (S&A) | (S&A) | 801, 802, | |
| 7 | | link Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| 8 | | to Melissa Edwards, | | | 402, 403, | |
| 9 | 1341 | Yuchun Santory, Jim | (GIN D: 1 | (07) 5: 1 | 901, 902 | |
| 10 | | Scherbinske, Loren Cohen Re: Laborworks - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 10 | | Bldg 7 | Disputed | Disputed | 901, 902 | |
| 11 | | | | • | (CV) ER | |
| 12 | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| 13 | 1342 | | | | (S&A) ER | |
| 14 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 15 | | to Deirdre Kurian Re: | (S&A) | (S&A) | 801, 802, | |
| 13 | | Found Wallet | Disputed | Disputed | 901, 902 (CV) ER | |
| 16 | | | | | 402, 403, | |
| 17 | | | | | 801, 802, | |
| | 1343 | | | | 901, 902 | |
| 18 | | Email from Mike Cohen | (CV) Dispersed 1 | (CV) Discorted | (S&A) ER | |
| 19 | | to Dennis Greenwalt, Hayley Cole Re: century | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 20 | | link | Disputed | Disputed | 901, 902 | |
| 20 | | | | - | (CV) ER | |
| 21 | | Email from Mike Cohen | | | 402, 403, | |
| 22 | 1344 | to Brian Williams, Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | Cohen Re: Point Ruston | (S&A) | (S&A) | 402, 403, | |
| 23 | | Newsletter Ideas | Disputed | Disputed | 901, 902 | |
| 24 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 25 | 1345 | to Dennis Greenwalt, | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | Hayley Cole Re: century | (S&A) | (S&A) | 901, 902 | |
| 26 | | link | Disputed | Disputed | (S&A) ER | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 402, 403, | |
| 4 | | | | | 801, 802, 901, 902 | |
| 5 | | | | | (CV) ED | |
| 6 | | | | | (CV) ER 402, 403, | |
| 7 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 8 | 1346 | to Jennifer Andlovec, | | | (S&A) ER | |
| | | Hayley Cole FW: checks to be signed - please | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 9 | | approve | Disputed | Disputed | 901, 902 | |
| 10 | | Email from Mike Cohen | | | (CV) ER | |
| 11 | 12.47 | to Yuchun Santory, Melissa Edwards, Jim | | | 402, 403, 901, 902 | |
| 12 | 1347 | Scherbinske, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 13 | | Cohen RE: Laborworks - Bldg 7 | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 14 | | | | | (CV) ER 402, 403, | |
| | 1348 | Email from Mike Cohen | | | 901, 902 | |
| 15 | 1346 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 16 | | Kareen Seerley RE: Public Market | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 17 | | | • | • | (CV) ER | |
| 18 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 19 | 1349 | to Kareen Seerley, Jim | (CV) Disputed | | (S&A) ER | |
| 20 | | Scherbinske RE: Public Market | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | | | | (CV) ER | |
| 21 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 22 | 1350 | to Yuchun Santory, Jim | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 23 | | Scherbinske RE: Current Electric | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 24 | | | • | • | (CV) ER | |
| 25 | 1351 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| 26 | | to Hayley Cole RE: Gen Care final billing | (S&A) Disputed | (S&A) Disputed | 901, 902 (S&A) ER | |
| | | Care Imai oninig | Disputed | Disputed | (SWA) LIC | ı |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|----------|---|-------------------------|-------------------------|------------------------|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| ľ | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| | | | | | , | |
| | | | | | (CV) ER 402, 403, | |
| | 1352 | Email from Mike Cohen | | | 901, 902 | |
| | 1332 | to Michael Foley, Loren Cohen RE: LOIs for | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Magnusson space | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 1353 | | | | 901, 902 | |
| | 1333 | Email from Mike Cohen to Dennis Greenwalt, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Hayley Cole RE: century | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | link | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | 1354 | Email from Mike Cohen | | | 901, 902 | |
| | 1334 | to Yuchun Santory, Jim Scherbinske RE: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Building 7 sub payment | Disputed | Disputed | 901, 902 | |
| | | <u> </u> | | • | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| | 1355 | to Melissa Edwards, Jim | (CV) Disputed | | (S&A) ER | |
| | | Scherbinske, Kareen Seerley RE: Money | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | Secricy R.L. Wioney | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | 1256 | | | | 801, 802, 901, 902 | |
| | 1356 | Email from Mike Cohen | (CIV) D. | (CIV D | (S&A) ER | |
| | | to Hayley Cole RE: Autodesk Subscription | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Renewal Proposal | Disputed | Disputed | 901, 902 | |
| | 1257 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (CV) ER | |
| l | 1357 | to Loren Cohen, Jim Scherbinske, Kareen | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Seerley, Yuchun Santory | | | (S&A) ER | |
| 4 | | Re: Public Market | | | 402, 403, 901, 902 | |
| 5 | | | | | (CV) ER 402, 403, | |
| 6 | 1358 | | | | 901, 902 | |
| 7 | 1555 | Email from Mike Cohen to Tracy Medina, Loren | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Cohen Re: commissions | Disputed | Disputed | 901, 902 | |
| 8 | | Email from Mike Cohen | | | (CV) ER | |
| 9 | | to Loren Cohen, Yuchun Santory, Melissa | | | 402, 403, 901, 902 | |
| 10 | 1359 | Edwards, Jim | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 11 | | Scherbinske Re: | (S&A) | (S&A) | 402, 403, | |
| | | Laborworks - Bldg 7 | Disputed | Disputed | 901, 902 (CV) ER | |
| 12 | | | | | 402, 403, | |
| 13 | | | | | 801, 802, | |
| 14 | 1360 | | | | 901, 902 (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 15 | | to Dennis Greenwalt Re: | (S&A) | (S&A) | 801, 802, | |
| 16 | | century link | Disputed | Disputed | 901, 902 (CV) ER | |
| 17 | | | | | 402, 403, | |
| 10 | 1361 | Email from Mike Cohen | | | 901, 902 | |
| 18 | 1501 | to Kareen Seerley, Jim Scherbinske Re: Public | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 19 | | Market | Disputed | Disputed | 901, 902 | |
| 20 | | | | | (CV) ER | |
| 21 | | | | | 402, 403, 801, 802, | |
| | 1362 | | | | 901, 902 | |
| 22 | 1302 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 23 | | to Hayley Cole Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 24 | | olson bros. past due | Disputed | Disputed | 901, 902 | |
| 25 | | Email from Miles Cales | (CV) Dismuta 1 | (CV) Diamete 1 | (CV) ER | |
| | 1363 | Email from Mike Cohen to Octavio Muro-Lamas | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 26 | | Dolly to fit under the | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|------------------------------|-----------------|---------------------|-----------------------|--------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitt |
| | salmon sculpture at | | | (S&A) ER | |
| | market entry | | | 402, 403, | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1364 | E 110 M1 01 | | | 901, 902 | |
| | Email from Mike Cohen | (CV) Diameter 1 | (CV) Diameted | (S&A) ER | |
| | to Dennis Greenwalt, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Hayley Cole RE: century link | (S&A) | (S&A) Disputed | 801, 802, 901, 902 | |
| | ШК | Disputed | Disputed | (CV) ER | + |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| | Email from Mike Cohen | | | 901, 902 | |
| 1365 | to Deirdre Kurian FW: | | | (S&A) ER | |
| | Your Ferrellgas | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | statement is now | (S&A) | (S&A) | 801, 802, | |
| | available. | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1366 | | | | 901, 902 | |
| 1300 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole RE: | (S&A) | (S&A) | 801, 802, | |
| | olson bros. past due | Disputed | Disputed | 901, 902 | + |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 1367 | to Deirdre Kurian RE: | | | (S&A) ER | |
| | Your Ferrellgas | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | statement is now | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | available. | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | 1 |
| 12.00 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 1368 | to Loren Cohen RE: | (S&A) | (S&A) | 901, 902 | |
| | to Loren Conen ICL. | (50011) | (50011) | | |

| | | DEFENDANT'S EXHIBITS | | | | |
|-------|-------|---|--------------------------------------|-------------------------------------|---|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | 402, 403, 901, 902 | |
| | 1369 | | | | (CV) ER 402, 403, 901, 902 | |
| | 1305 | Email from Mike Cohen to Hayley Cole FW: century link | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (S&A) ER 402, 403, 901, 902 | |
| | | century min | Disputed | Disputed | (CV) ER 402, 403, | |
| | 1370 | | | | 801, 802, 901, 902 | |
| | | Email from Mike Cohen to Hayley Cole Olson | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, 801, 802, | |
| 2 | | Bros account discussion | Disputed | Disputed | 901, 902 (CV) ER | |
| , | | Email from Mike Cohen | | | 402, 403, 801, 802, | |
| | 1371 | to Yuchun Santory, Bart Jones, Hayley Cole, | | | 901, 902 (S&A) ER | |
| | | Matt Cyr, Robert Fredrick RE: MARKET | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | - GROCERY 10.6.2020 | Disputed | Disputed | 901, 902 (CV) ER 402, 403, | |
| | 1372 | Email from Mike Cohen to Dennis Greenwalt, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | Hayley Cole, Loren Cohen RE: century link | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | Email from Mike Cohen to Jim Scherbinske, | | | (CV) ER | |
| | 1373 | Kareen Seerley, Hayley Cole, Bill Felker, Loren Cohen, Yuchun Santory | (CV) Disputed | (CV) Disputed | 402, 403, 901, 902 (S&A) ER | |
| | | FW: Bldg 6 PMB Final Unconditionals | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | | • | • | | • |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|---------------------|------------------------|-----------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1374 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to MargoCB RE: | (S&A) | (S&A) | 801, 802, | |
| | Environmental Costs | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 901, 902 | |
| 1375 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Jim Scherbinske FW: | (S&A) | (S&A) | 402, 403, | |
| | kell chuck | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1376 | Email from Mike Cohen | (CV) Discrete 1 | (CV) Diameter 1 | 901, 902 | |
| | to Hayley Cole, Jim Scherbinske RE: kell | (CV) Disputed | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | chuck | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1377 | Email from Mike Cohen | | | 901, 902 | |
| 1377 | to Tracy Medina RE: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Ausborn - New Hire Form | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | TOIM | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 1378 | Email from Mike Cohen | | | 901, 902 | |
| 13/6 | to Tracy Medina, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen RE: Ausborn - | (S&A) | (S&A) | 402, 403, | |
| | New Hire Form | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | to Vuchun Santory Jim | | | 901, 902 | |
| 1379 | Scherbinske, Hayley | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cole RE: Building 7 sub | (S&A) | (S&A) | 402, 403, | |
| | payment | Disputed | Disputed | 901, 902 | |
| 1000 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (CV) ER | |
| 1380 | , | (S&A) | (S&A) | 402, 403, | |
| | Scherbinske, Kareen | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Seerley, Hayley Cole | | | (S&A) ER | |
| 4 | | RE: Bldg 6 PMB Final Unconditionals | | | 402, 403, 901, 902 | |
| 5 | | | | | (CV) ER 402, 403, | |
| 6 | | | | | 801, 802, | |
| 7 | 1381 | Email from Mike Cohen to Tracy Medina Re: Are | | | 901, 902 (S&A) ER | |
| 8 | | you still planning on | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | being here for our 1pm | (S&A) | (S&A) | 801, 802, | |
| 9 | | meeting today? | Disputed | Disputed | 901, 902 (CV) ER | |
| 10 | | | | | 402, 403, | |
| 11 | | | | | 801, 802, | |
| | 1382 | | | | 901, 902 (S&A) ER | |
| 12 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 13 | | to Tracy Medina, Hayley | (S&A) | (S&A) | 801, 802, | |
| 14 | | Cole Re: Tabs | Disputed | Disputed | 901, 902 (CV) ER | |
| 15 | | | | | 402, 403, | |
| 13 | | | | | 801, 802, | |
| 16 | 1383 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 17 | | to Tracy | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 18 | | MedinaAccepted: | (S&A) | (S&A) | 801, 802, | |
| | | Employee Documents | Disputed | Disputed | 901, 902 (CV) ER | |
| 19 | | | | | 402, 403, | |
| 20 | | E I from Miles Colors | | | 801, 802, | |
| 21 | 1384 | Email from Mike Cohen to Robert Fredrick tim | | | 901, 902 (S&A) ER | |
| | | Batanian here to talk | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 22 | | about custom home | (S&A) | (S&A) | 801, 802, | |
| 23 | | plans | Disputed | Disputed | 901, 902 (CV) ER | |
| 24 | | | | | 402, 403, | |
| 25 | 1385 | Email from Mike Cohen | (CV) Diamete 1 | (CV) Diameter 1 | 801, 802, | |
| | | to Tracy Medina Accepted: Employee | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| 26 | | Documents | Disputed | Disputed | 402, 403, | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|---------------|-----------------------|---------------------------|---------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitte |
| " | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | | |
| | | | | (CV) ER | |
| | | | (CT) | 402, 403, | |
| 1386 | Email from Mike Cohen | (CV) Disputed | (CV) | 901, 902 (C.S.A.) ED | |
| | to Loren Cohen, Jim Scherbinske Re: DLA | (CV) Disputed | Stipulated (S&A) | (S&A) ER 402, 403, | |
| | Piper \$50k Payment | Disputed | Stipulated | 901, 902 | |
| | 1 1por \$50k raymont | Disputed | Supulated | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801. 802, | |
| 1387 | to Michael Foley, | | | 901, 902 | |
| 1367 | Hayley Cole, Robert | | | (S&A) ER | |
| | Fredrick, Stacy | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Carkonen Re: Pike Place | (S&A) | (S&A) | 801. 802, | |
| | Chowder TI Estimate | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen to Curt Stebbins Fwd: | (CV) Disputed | (CV) Disputed | (CV) ER 901, 902 | |
| 1388 | Gift tax returns for Mike | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen | Disputed | Disputed | 901, 902 | |
| | | Dispute | 2 ispaire | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1389 | | | | 901, 902 | |
| 1309 | | (| (| (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | | 402, 403, | |
| | to Tracy Medina Read: | (S&A) | (S&A) | 801, 802, | |
| | Bonus for Jim?? | Disputed | Disputed | 901, 902 (CV) FP | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | to Jim Scherbinske, | | | 901, 902 | |
| 1390 | Loren Cohen, Hayley | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cole Re: Bldg 7 - Dryers | (S&A) | (S&A) | 402, 403, | |
| | Interiors | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1391 | to Hayley Cole, Bill | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | Felker, Rod McCarten | (S&A) | (S&A) | 901, 902 | |
| | Re: point Ruston link | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|------|--|-------------------------|-------------------------|----------------------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| # | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| | | | | (OIN ED | |
| | | | | (CV) ER 402, 403, 802, 901 | |
| 1392 | Email from Mike Cohen to Tracy Medina Re: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Lee's Office | Disputed | Disputed | 802, 901 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| 1393 | Email from Mike Cohen | | | 901, 902 | |
| 1393 | to Jennifer Andlovec, | | | (S&A) ER | |
| | Hayley Cole Re: checks | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to be signed - please approve | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | • | • | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1394 | to Jennifer Andlovec, Loren Cohen, Jim | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | Scherbinske Re: TTI - | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | cash needed to pay a/p | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 802, | |
| 1395 | Email from Mike Cohen | | | (S&A) ER | |
| | to Michael Foley | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Accepted: Review | (S&A) | (S&A) | 801, 802, | |
| | Pending LOIs | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1396 | Email from Mike Cohen | | | 901, 902 | |
| 2000 | to MargoCBRE: | (CV) Diameted | (CV) Diameted | (S&A) ER | |
| | REVIEW: CORRECTED Deposit | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | Release Addendum | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|---------------------|---------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | T 10 10 01 | | | (CV) ER | |
| 4 | | Email from Mike Cohen to Rod McCarten, Loren | | | 402, 403, 901, 902 | |
| 5 | 1397 | Cohen, Jim Scherbinske | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | RE: Rainier Summary | (S&A) | (S&A) | 402, 403, | |
| 6 | | Revised | Disputed | Disputed | 901, 902 (CV) ER | |
| 7 | | | | | 402, 403, | |
| 8 | | | | | 801, 802, | |
| | 1398 | | | | 901, 902 (S&A) ER | |
| 9 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 10 | | to Hayley Cole RE: | (S&A) | (S&A) | 801, 802, | |
| 11 | | Amanda Johnson | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 12 | 1399 | to Victoria Willing, | | | 901, 902 | |
| 13 | 1399 | Michael Foley, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 14 | | Cohen Re: Building 5 estimated CAM costs? | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | estimated error costs: | Disputed | Disputed | (CV) ER | |
| 15 | | | | | 402, 403, | |
| 16 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 17 | 1400 | to Stacy Carkonen, | | | (S&A) ER | |
| | | Yuchun Santory, Hayley | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 18 | | Cole Re: Taco Street | (S&A) | (S&A) | 801, 802, | |
| 19 | | Follow Up | Disputed | Disputed | 901, 902 (CV) ER | |
| 20 | | | | | 402, 403, | |
| 20 | | | | | 801, 802, | |
| 21 | 1401 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 22 | | to Rod McCarten | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 23 | | Accepted: Phone Call - | (S&A) | (S&A) | 801, 802, | |
| | | Rainier Budget | Disputed | Disputed | 901, 902 | |
| 24 | | | | | (CV) ER 402, 403, | |
| 25 | 1402 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 26 | | to Hayley Cole RE: | (S&A) | (S&A) | 901, 902 | |
| 20 | | Amanda Johnson | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1403 | Email from Miles Colon | | | 901, 902 | |
| | Email from Mike Cohen to Hayley Cole | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Accepted: Frontier door | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | conf call. | Disputed | Disputed | 901, 902 | |
| | TOTAL CHAIL | 2 ispaica | Dispared | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1404 | | | | 901, 902 | |
| 1404 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley ColeRE: | (S&A) | (S&A) | 801, 802, | |
| | Amanda Johnson | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Jennifer Andlovec, | | | 402, 403, 901, 902 | |
| 1405 | Jim Scherbinske, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen RE: TTI - cash | (S&A) | (CV) Disputed | 402, 403, | |
| | needed to pay a/p | Disputed | Disputed | 901, 902 | |
| | • / • | • | • | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1406 | to Jim Scherbinske, | | | 901, 902 | |
| 1400 | Jennifer Andlovec, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Loren Cohen RE: TTI - | (S&A) | (S&A) | 402, 403, | |
| | cash needed to pay a/p | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 1407 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Susan Thomas silver | (S&A) | (S&A) | 801, 802, | |
| | | | | | 1 |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|---|---|---|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1408 | | | | 901, 902 | |
| 5 | 1400 | Email from Mike Cohen | (077) 71 | (077) 73 | (S&A) ER | |
| 6 | | to Yuchun Santory, Hayley Cole silver cloud | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | schedule update | Disputed | Disputed | 901, 902, | |
| | | • | • | • | (CV) ER | |
| 8 | | Email from Mike Cohen | | | 402, 403, | |
| 9 | 1409 | to Amara Foster FW: Invoice 11387 from No | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 10 | | Worries Septic Services | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | LLC | Disputed | Disputed | 901, 902 | |
| 11 | | Email from Mike Cohen | | | (CV) ER | |
| 12 | | to Amara Foster, Cecile Landcaster FW: | | | 402, 403, 901, 902 | |
| 13 | 1410 | Reminder: Please | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 13 | | DocuSign: WA Full | (S&A) | (S&A) | 402, 403, | |
| 14 | | TAP.pdf | Disputed | Disputed | 901, 902 | |
| 15 | | Email from Mike Cohen to Yuchun Santory, Lee | | | (CV) ER | |
| 16 | | Cohen, Loren Cohen, | | | 402, 403, | |
| 16 | 1411 | Hayley Cole, Bill Felker, | | | 901, 902 | |
| 17 | | Robert Fredrick, Bill | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 18 | | Felker RE: Building 7 Occupany | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | occupany | Disputed | Dispared | (CV) ER | |
| 19 | | | | | 402, 403, | |
| 20 | | | | | 801, 802, | |
| 21 | 1412 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 21 | | to Cecile Landcaster | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 22 | | FW: Message from EP - | (S&A) | (S&A) | 801, 802, | |
| 23 | | conference link | Disputed | Disputed | 901, 902 (CV) ER | |
| 24 | | | | | 402, 403, | |
| | 1413 | Email from Mike Cohen | (CIV D: 1 1 | (CIV D: 11 | 801, 802, | |
| 25 | | to Cecile Landcaster FW: Weekly summary | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| 26 | | for Ellah | Disputed | Disputed | (S&A) ER 402, 403, | |
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| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. | Description | Authenticity | Admissibility | Objection | Admitte |
| # | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | | |
| | | | | | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1414 | Email from Mike Cohen | | | (S&A) ER | |
| | to Cecile Landcaster | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | FW: Message from EP - | (S&A) | (S&A) | 801, 802, | |
| | packet pickup | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | E16261 C 1 | | | 801, 802, | |
| 1415 | Email from Mike Cohen to Cecile Landcaster | | | 901, 902 (S & A) ED | |
| | FW: Message from EP - | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | conference info and | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | more | Disputed | Disputed | 901, 902 | |
| | | • | | (CV) ER | |
| | | | | 402, 403, | |
| 1416 | | | | 901, 902 | |
| 1110 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Loren Cohen talk with | (S&A) | (S&A) | 402, 403, | |
| | Andrew | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1417 | | | | 901, 902 | |
| 141/ | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Julie Bernsten RE: | (S&A) | (S&A) | 801, 802, | |
| | Updated Rainier Sales | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | to Loren Cohen, Jim | | | 901, 902 | |
| 1418 | Scherbinske FW: Point | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Ruston Structural | (S&A) | (S&A) | 402, 403, | |
| | Engineering | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|---|-------------------------|-------------------------|--------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | Email from Mike Cohen | | | 402, 403, | |
| 4 | 1419 | to Tracy Medina, | (CV) Disputed | (CV) Disputed | 901, 902 (S & A) ED | |
| 5 | | Vanessa Ray, Loren Cohen RE: Paul Daigle | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Vehicle Accident | Disputed | Disputed | 901, 902 | |
| 6 | | vemere recident | Disputed | Disputed | (CV) ER | |
| 7 | | | | | 402, 403, | |
| | 1.420 | Email from Mike Cohen | | | 901, 902 | |
| 8 | 1420 | to Tracy Medina Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 9 | | Paul Daigle Vehicle | (S&A) | (S&A) | 402, 403, | |
| | | Accident | Disputed | Disputed | 901, 902 | |
| 10 | | Email from Mike Cohen | | | (CV) ER | |
| 11 | | to Loren Cohen, Yuchun | | | 402, 403, | |
| 11 | 1421 | Santory, Bill Felker, | (CIV) D: 4 1 | (CIV) D: 4 1 | 901, 902 | |
| 12 | | Ashley Samuel, Victoria Willing Re: Bldg 7 - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER | |
| | | retail space submeters | Disputed | Disputed | 402, 403, 901, 902 | |
| 13 | | retair space submeters | Disputed | Disputed | (CV) ER | |
| 14 | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| 15 | 1422 | | | | 901, 902 | |
| 16 | 1422 | | | | (S&A) ER | |
| 10 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 17 | | to Tracy Medina Read: | (S&A) | (S&A) | 801, 802, | |
| 10 | | PR Grocery Billing | Disputed | Disputed | 901, 902 | |
| 18 | | | | | (CV) ER | |
| 19 | | | | | 402, 403, 801, 802, | |
| | | Email from Mike Cohen | | | 901, 902 | |
| 20 | 1423 | to Rod McCarten, | | | (S&A) ER | |
| 21 | | Hayley Cole, Bill Felker | (CV) Disputed | (CV) Disputed | 402, 403, | |
| -1 | | Re: Frontier bid vs. 11-9 | (S&A) | (S&A) | 801, 802, | |
| 22 | | Budget | Disputed | Disputed | 901, 902 | |
| 22 | | | | | (CV) ER | |
| 23 | | | | | 402, 403, | |
| 24 | 1424 | Email from Mike Cohen | (| | 901, 902 | |
| | | to Tracy Medina, Jim | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 25 | | Scherbinske Landrover | (S&A) | (S&A) | 402, 403, | |
| 26 | | Discovery payment | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------|---|-------------------------|-------------------------|-------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | 1425 | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 5 | 1423 | to Tracy Medina, Hayley Cole Re: MCCI 10th | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 6 | | Payables | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| 7 | | | | | 402, 403, | |
| 8 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| | 1426 | to Hayley Cole, Rod | | | (S&A) ER | |
| 9 | | McCarten, Bill Felker | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 10 | | Re: Frontier bid vs. 11-9 | (S&A) | (S&A) | 801, 802, | |
| | | Budget | Disputed | Disputed | 901, 902 | |
| 11 | | F 10 M 61 | | | (CV) ER | |
| 12 | | Email from Mike Cohen | | | 402, 403, | |
| | 1427 | to Tracy Medina, Jim Scherbinske RE: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 13 | | Landrover Discovery | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 14 | | payment | Disputed | Disputed | 901, 902 | |
| | | | • | | (CV) ER | |
| 15 | | Email from Mike Cohen | | | 402, 403, | |
| 16 | 1428 | to Michael Foley, | (070 7) | (077) | 901, 902 | |
| | | Victoria Willing, Loren | (CV) Disputed (S&A) | (CV) Disputed | (S&A) ER | |
| 17 | | Cohen RE: Building 5 estimated CAM costs? | Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 18 | | estimated Critivi costs: | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| 19 | | | | | 801, 802, | |
| 20 | 1429 | | | | 901, 902 | |
| | - 1.25 | E'l f M'l C-l | (CIV) Discorted | (CV) D' | (S&A) ER | |
| 21 | | Email from Mike Cohen to Michael Foley RE: | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 22 | | Task List and Menu | (S&A) Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | _ ispared | _ ispareu | (CV) ER | |
| 23 | | to Victoria Willing, | | | 402, 403, | |
| 24 | 1430 | Michael Foley, Loren | | | 901, 902 | |
| | 1430 | Cohen, Ashley Samuel | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 25 | | RE: Building 5 | (S&A) | (S&A) | 402, 403, | |
| 26 | | estimated CAM costs? | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 5 | 1431 | to Bill Felker, Yuchun | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Santory RE: Bldg 7 - retail space submeters | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 6 | | retain space saometers | Disputed | Disputed | (CV) ER | |
| 7 | | | | | 402, 403, | |
| 8 | 1432 | Email from Mike Cohen | | | 901, 902 | |
| 0 | 1132 | to Bill Felker, Yuchun | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 9 | | Santory RE: Bldg 7 - | (S&A) | (S&A) | 402, 403, | |
| 10 | | retail space submeters Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| 10 | | to Victoria Willing, | | | 402, 403, | |
| 11 | 1.422 | Michael Foley, Loren | | | 901, 902 | |
| 10 | 1433 | Cohen, Ashley Samuel | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 12 | | RE: Building 5 | (S&A) | (S&A) | 402, 403, | |
| 13 | | estimated CAM costs? | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| 14 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 15 | 1434 | to Victoria Willing RE: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | more info RE: Bldg 7 - | (CV) Disputed | (S&A) | 402, 403, | |
| 16 | | retail space submeters | Disputed | Disputed | 901, 902 | |
| 17 | | • | • | • | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| 18 | 1435 | to Bill Felker, Yuchun | | | 901, 902 | |
| 19 | | Santory, Loren Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | RE: Bldg 7 - retail space submeters | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 20 | | Email from Mike Cohen | Disputed | Disputed | 501, 502 | |
| 21 | | to Michael Foley, Terri | | | | |
| | | Escritor, Loren Cohen, | | | (CV) ER | |
| 22 | 1436 | Jim Scherbinske, Stacy | | | 402, 403, | |
| 23 | 1430 | Carkonen, Victoria | , | | 901, 902 | |
| 23 | | Willing RE: Regarding | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 24 | | the additional monthly fee on the common area? | (S&A) | (S&A) | 402, 403, 901, 902 | |
| 25 | | Email from Mike Cohen | Disputed (CV) Disputed | Disputed (CV) Disputed | | |
| 23 | 1437 | to Victoria Willing, | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (CV) ER 402, 403, | |
| 26 | 1137 | Loren Cohen RE: more | Disputed | Disputed | 901, 902 | |
| | | more | _100000 | | | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|-------------------------|------------------------|---------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | info RE: Bldg 7 - retail | | | (S&A) ER | |
| | space submeters | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 1438 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Michael FoleyRE: | (S&A) | (S&A) | 801, 802, | |
| | Task List and Menu | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1439 | | | | 901, 902 (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole olson | (S&A) | (S&A) | 801, 802, | |
| | bros A/P discussion | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Victoria Willing, | | | 402, 403, | |
| 1440 | Ashley Samuel, Loren | | | 901, 902 | |
| | Cohen RE: more info | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | RE: Bldg 7 - retail space | (S&A) | (S&A) | 402, 403, | |
| | submeters | Disputed | Disputed | 901, 902 (CV) EP | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | to Michael Foley, Lee | | | 901, 902 | |
| 1441 | Cohen, Loren Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | RE: Cinemark-point | (S&A) | (S&A) | 402, 403, | |
| | ruston will open Friday | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1442 | Email from Miles Cale | (CV) Discorted | (CV) Diameter 1 | 901, 902 (C.S.A.) ED | |
| | Email from Mike Cohen to Lee Cohen Fwd: PMB | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Final Unconditionals | Disputed | Disputed | 901, 902 | |
| | 1 mai onconditionais | Disputed | Disputed | (CV) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 1443 | to Cecile Landcaster Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | FW: Reminder: Please | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|-------------------------|-------------------------|-------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | DocuSign: WA Full | | | (S&A) ER | |
| | TAP.pdf | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| | E 16 M1 61 | | (CV) | | |
| 1444 | Email from Mike Cohen to Karyn Brandt, Sue | | Stipulated (S&A) | | |
| | Cohen Closing status | | Stipulated | | |
| | Email from Mike Cohen | | Supulated | (CV) ER | |
| | to Jennifer Andlovec, | | | 402, 403, | |
| 1445 | Loren Cohen, Jim | (CID D: 4 1 | (CID D: 1 | 901, 902 | |
| | Scherbinske Re: abernethy payment to | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Dreyer office interiors | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | 2 ispaire | 2 ispated | (CV) ER | |
| | to Jim Scherbinske, | | | 402, 403, | |
| 1446 | Jennifer Andlovec, | | | 901, 902 | |
| 2 | Loren Cohen Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | abernethy payment to Dreyer office interiors | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | Dieyer office interiors | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1447 | Email from Mike Cohen | | | 901, 902 | |
| | to Cecile Landcaster Fwd: Your HomePay | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Account Has Been | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | Updated | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | | |
| | to Jim Scherbinske, | | | (CV) ER | |
| 1448 | Jennifer Andlovec, Loren Cohen, Hayley | | | 402, 403, 901, 902 | |
| 1110 | Cole Re: abernethy | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | payment to Dreyer office | (S&A) | (S&A) | 402, 403, | |
| | interiors | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | to Hayley Cole Re: | | | 801, 802, | |
| 1449 | ThyssenKrupp | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | Unconditional, Final lien | (S&A) | (S&A) | (S&A) ER | |
| | release – Point Ruston - | Disputed | Disputed | 402, 403, | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|---------------------------------|-------|--|--------------------------|--------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Gen-Care Senior Living DRAFT | | | 801, 802, 901, 902 | |
| 4 | | | | | | |
| 5 | | Email from Mike Cohen | | | (CV) ER | |
| 6 | 1450 | to Hayley Cole, Jim Scherbinske, Jennifer | | | 402, 403, 901, 902 | |
| 7 | 1450 | Andlovec, Loren Cohen Re: abernethy payment | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 8 | | to Dreyer office interiors | Disputed | Disputed | 901, 902 | |
| 9 | | Email from Mike Cohen to Stacy Carkonen, | | | (CV) ER 402, 403, | |
| 10 | 1451 | Michael Foley, Hayley Cole, Loren Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 11 | | Status of Market tenants, TI, prospects, etc | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 12 | | 11, prospects, etc | Disputed | Disputed | (CV) ER | |
| 13 | 1452 | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 14 | 1432 | to Jim Scherbinske See text of voicemail.please | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 15 | | call United rentals | Disputed | Disputed | 901, 902 (CV) ER | |
| 16 | | Email from Mike Cohen | | | 402, 403, | |
| 17 | 1453 | to Tracy Medina, Hayley Cole, Loren Cohen, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 18 | | Yuchun Santory Re: Bill Felker & Angie Lukecart | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 19 | | Tomor to ringro Dancourt | Disputed | Disputed | (CV) ER | |
| 20 | | | | | 402, 403, 801, 802, | |
| 21 | 1454 | Email from Mike Cohen to Maryanne Spence, | | | 901, 902 (S&A) ER | |
| 22 | | Karyn Marie Brandt, Sue CohenRE: Closing | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 23 | | status | Disputed | Disputed | 901, 902 | |
| 24 | | Email from Mike Cohen to Loren Cohen, Jennifer | | | (CV) ER | |
| 2526 | 1455 | Andlovec FW: checks to be signed - please | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 901, 902 | |
| 20 | | approve | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|--------------------------|--------------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, 901, 902 | |
| | | | | 701, 702 | |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | to Kareen Seerley, Melissa Edwards, | | | 801, 802, 901, 902 | |
| 1456 | Hayley Cole, Robert | | | (S&A) ER | |
| | Fredrick, Yuchun Santory RE: 2018147-8 | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | HVE ENG 80954.pdf Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | to Melissa Edwards, | | | | |
| 1.455 | Hayley Cole, Robert Fredrick, Yuchun | | | (CV) ER 402, 403, | |
| 1457 | Santory, Jim Scherbinske RE: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | 2018147-8 HVE ENG | (S&A) | (S&A) | 402, 403, | |
| | 80954.pdf Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | to Melissa Edwards, | | | (CV) ER | |
| 1458 | Hayley Cole, Yuchun Santory, Jim | | | 402, 403, 901, 902 | |
| | Scherbinske, Loren Cohen RE: 2018147-8 | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | HVE ENG 80954.pdf Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | to Maryanne Spence, | | (CV) | | |
| 1459 | Karyn Marie Brandt, Sue CohenRe: Closing | | Stipulated (S&A) | | |
| | status | | Stipulated | | |
| | Email from Mike Cohen to Melissa Edwards, | | | (CV) ER | |
| 1460 | Loren Cohen, Hayley Cole, Yuchun Santory, | | | 402, 403, 901, 902 | |
| | Jim Scherbinske Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | 2018147-8 HVE ENG 80954.pdf | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 1461 | Email from Mike Cohen | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (CV) ER 402, 403, | |
| 1.01 | to Jim Scherbinske, | Disputed | Disputed | 901, 902 | |

| | | DEFENDANT'S | | | | |
|---|-------|--|--------------------------|--------------------------|------------------------|----------|
| 1 | | EXHIBITS | | | | |
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Loren Cohen Re: Stegin | | | (S&A) ER | |
| 4 | | Retainage | | | 402, 403, 901, 902 | |
| 5 | | | | | (CV) ER 402, 403, | |
| 6 | | | | | 801, 802, | |
| 7 | 1462 | Email from Mike Cohen | | | 901, 902 | |
| | | to Russ Wickett, Tracy Medina, Robert | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Fredrick, Corbie Chance | (S&A) | (S&A) | 801, 802, | |
| | | Re: request for time off | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen to Yuchun Santory, | | | (CV) ER | |
| | | Jennifer Andlovec, Jim | | | 402, 403, | |
| | 1463 | Scherbinske Re: | (CV) Discorted | (CV) Diameted | 901, 902 | |
| | | 8072.BUDGET OVERAGES (002) | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | YS.xlsx | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 1464 | | | | 901, 902 | |
| | 1404 | Email from Mike Cohen | (CIV) D: 1 | (CIV) D: 4 1 | (S&A) ER | |
| | | to Michael Foley, Stacy Carkonen Re: Pike Place | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Chowder signed LOI | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER | |
| | | to Lee Cohen, Loren Cohen Re: | | | 402, 403, 901, 902 | |
| | 1465 | CONSTRUCTION | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | COMPLETION | (S&A) | (S&A) | 402, 403, | |
| | | PROJECTIONS | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | 1466 | E 16 M1 61 | (CI) D: 1 | (CI) D: 1 | 901, 902 | |
| | | Email from Mike Cohen to Jim Scherbinske Did | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | you call united rental? | Disputed | Disputed | 901, 902 | |
| | | | | | | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|----------|--|-------------------|---------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER 402, 403, | |
| 4 | | | | | 801, 802, | |
| 5 | 1467 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 6 | | to Cecile Landcaster | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 7 | | Fwd: Updated For Oct. 14th | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | 1401 | Disputed | Disputed | (CV) ER | |
| 8 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 9 | 1468 | to Loren Cohen, Jim | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 10 | | Scherbinske FW: open escrow | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 11 | | escrow | Disputed | Disputed | (CV) ER | |
| 12 | | | | | 402, 403, 801, 802, | |
| 13 | 1469 | | | | 901, 902 | |
| 14 | | Email from Mike Cohen to Robert Fredrick RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | meeting with Tim | (S&A) | (CV) Disputed | 801, 802, | |
| 15 | | custom home Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 16 | | to Karyn Brandt RE: 2nd | | | | |
| 17 | | request please - Signing 10/15/20 - at 1:00 pm - | | | | |
| 18 | | Statements and | | | | |
| 19 | 1470 | Questions - Document Delivery Notice - Order | | | | |
| 20 | | #0191259-TR Ref 1: | | | | |
| 21 | | Michael A Cohen Spousal Equivalent | | (CV) | | |
| | | Access Trust Ref 2: | | Stipulated | | |
| 22 | | 5210 & 5212 46th Street Ct | | (S&A) Stipulated | | |
| 23 | | 1 01 | | Supulated | | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|-------------------------|-------------------------|--------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen | | | | |
| 4 | | to Karyn Brandt, Loren Cohen, Sue Cohen RE: | | | | |
| 5 | | 2nd request please - | | | | |
| 6 | | Signing 10/15/20 - at 1:00 pm - Statements | | | | |
| 7 | 1471 | and Questions - Document Delivery | | | | |
| 8 | | Notice - Order | | | | |
| 9 | | #0191259-TR Ref 1: Michael A Cohen | | (07.7) | | |
| 10 | | Spousal Equivalent Access Trust Ref 2: | | (CV) Stipulated | | |
| 11 | | 5210 & 5212 46th Street Ct | | (S&A) Stipulated | | |
| 12 | | Email from Mike Cohen | | • | | |
| 13 | | to Karyn Brandt RE: 2nd request please - Signing | | | | |
| | | 10/15/20 - at 1:00 pm - Statements and | | | | |
| 14 | | Questions - Document | | | | |
| 15 | 1472 | Delivery Notice - Order | | | | |
| 16 | | #0191259-TR Ref 1: Michael A Cohen | | | | |
| 17 | | Spousal Equivalent Access Trust Ref 2: | | (CV) | | |
| 18 | | 5210 & 5212 46th Street | | Stipulated (S&A) | | |
| 19 | | Ct | | Stipulated | (CII) ED | |
| 20 | | | | | (CV) ER 402, 403, | |
| | 1473 | Email from Mike Cohen | (CV) Diameter 1 | (CV) Disputed | 901, 902 (S & A) ED | |
| 21 | | to Loren Cohen, Jim Scherbinske monthly | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 22 | | draws on TI work | Disputed | Disputed | 901, 902 | |
| 23 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 24 | 1474 | to Michael Foley, | (CII) D' | (CID D: | 801, 802, | |
| 25 | | Hayley Cole RE: Owens Meat Lease Concession | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 901, 902 (S&A) ER | |
| | | Worksheet | Disputed | Disputed | 402, 403, | |
| 26 | | | | | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|--|--------------------------|--------------------------|-------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 801, 802, 901, 902 | |
| 4 | | | | | 301, 302 | |
| 5 | | | | | (CV) ER | |
| 6 | | | | | 402, 403, | |
| 7 | 1475 | | | | 801, 802, 901, 902 | |
| 8 | 14/3 | Email from Mike Cohen to Stacy Carkonen, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 9 | | Michael Foley RE: | (S&A) | (S&A) | 801, 802, | |
| 10 | | Question about LW Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| 11 | | to Jennifer Andlovec, Loren Cohen, Yuchun | | | 402, 403, 901, 902 | |
| 12 | 1476 | Santory, Jim | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 13 | | Scherbinske RE: Bldg 7 budget overages | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 14 | | | | | (CV) ER 402, 403, | |
| 15 | 1477 | Email from Mike Cohen | (OTA Di 1 | (OTA D) | 901, 902 | |
| 16 | | to Hayley Cole, Jim Scherbinske RE: olson | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 17 | | note | Disputed | Disputed | 901, 902 (CV) ER | |
| 18 | | | | | 402, 403, | |
| 19 | 1478 | Email from Mike Cohen to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | Kareen Seerley, Melissa Edwards RE: Money | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 20 | | Edwards ICE. Wolley | Disputed | Disputed | (CV) ER | |
| 21 | 1470 | | | | 402, 403, 901, 902 | |
| 22 | 1479 | Email from Mike Cohen to Jim Scherbinske FW: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 23 | | olson note | Disputed | Disputed | 901, 902 | |
| 24 | 1,400 | Email from Mike Cohen to Jim Scherbinske RE: | (CV) Disputed | (CV) Disputed | (CV) ER 402, 403, | |
| 25 | 1480 | Did you call united | (S&A) | (S&A) | 901, 902 | |
| 26 | | rental? | Disputed | Disputed | (S&A) ER | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 402, 403, 901, 902 | |
| 4 | | | | | Í | |
| 5 | | | | | (CV) ER 402, 403, | |
| 6 | 1481 | Email from Mike Cohen | (CIV D: 1.1 | (CV) D: 1 | 901, 902 | |
| 7 | | to Jim Scherbinske, Loren Cohen Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 8 | | Checking in | Disputed | Disputed | 901, 902 (CV) ER | |
| 9 | | | | | 402, 403, | |
| 10 | 1482 | Email from Mike Cohen to Loren Cohen Re: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 11 | | Owens Meat Lease | (S&A) | (S&A) | 402, 403, | |
| 12 | | Concession Worksheet | Disputed | Disputed | 901, 902 (CV) ER | |
| 13 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| | 1483 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 14 | | Hayley Cole Re: Olson Updated Note | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 15 | | | - | - | (CV) ER 402, 403, | |
| 16 | 1484 | Email from Mike Cohen | | | 901, 902 | |
| 17 | | to Lee Cohen Re: Plywood got painted at | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 18 | | public grg | Disputed | Disputed | 901, 902 | |
| 19 | | Email from Mike Cohen to Rod McCarten, | | | (CV) ER 402, 403, | |
| 20 | 1485 | Yuchun Santory, Bart Jones, Lee Cohen, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 21 | | Hayley Cole Re: P3 | (S&A) | (S&A) | 402, 403, | |
| 22 | | public garage Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 23 | | to Tracy Medina, Jim Scherbinske, Loren | | | (CV) ER 402, 403, | |
| 24 | 1486 | Cohen, Jennifer | | | 901, 902 | |
| 25 | | Andlovec, Bill Felker, Yuchun Santory, Jim | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 26 | | Scherbinske Re: | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| , | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | monthly draws on TI work | | | | |
| | | | | | | |
| | | | | | (CV) ER 402, 403, | |
| | 1487 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | to Jim Scherbinske Re: Timberland Bank Code | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | 1488 | | | | 801, 802, 901, 902 | |
| | 1400 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | to Hayley Cole Re: Past Due invoices | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | Email from Mike Cohen to Karyn Brandt Re: | | (CV) Stipulated | | |
| | 1489 | Please DocuSign: Cohen Sellers Statement.pdf | | (S&A) Stipulated | | |
| | | Email from Mike Cohen to Amara Foster Fwd: | | | | |
| | | GREAT NEWS! - THIS FILE IS NOW | | | | |
| | 1490 | RECORDED AND CLOSED - 0191259-TR | | | | |
| | | Ref 1: Michael A Cohen Spousal Equivalent | | (CV) | | |
| | | Access Trust Ref 2: | | Stipulated (S&A) | | |
| | | 5210 & 5212 46th Street | | Stipulated | (CV) ER | |
| | 1491 | Email from Mike Cohen to Ashley Samuel, Loren | (CID D: | (OID D' | 402, 403, 901, 902 | |
| | | Cohen, Victoria Willing, Michael Foley Fwd: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Sweet Life | Disputed | Disputed | 901, 902 | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-----------|-------|---|--------------------------------|-------------------------------------|---|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | н | | | | (CV) ER 402, 403, | |
| 5 | 1492 | Email from Mike Cohen to Stacy Carkonen, | | | 801, 802, 901, 902 (S&A) ER | |
| 6 | | Hayley Cole, Matt Cyr Re: Dancing Goats | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 8 | | Permitting | Disputed | Disputed | 901, 902 (CV) ER 402, 403, | |
| • | 1493 | | | | 801, 802, 901, 902 | |
| 1 | | Email from Mike Cohen to Tracy Medina Re: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, 801, 802, | |
| 2 | | Tim Batanian Plans Job | Disputed | Disputed | 901, 902 (CV) ER | |
| 3 | 1494 | E 16 M1 C1 | (CIV) D: 1 | (CIV) D: 1 | 402, 403, 901, 902 | |
| 5 | | Email from Mike Cohen to Loren Cohen, Lee Cohen Fwd: Hello | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (S&A) ER 402, 403, 901, 902 | |
| 5 | | Email from Mike Cohen to Jim Scherbinske, | • | • | (CV) ER 402, 403, | |
| 7 3 | 1495 | Loren Cohen, Timothy Batanian Re: Michael Arthur Trust Interest | (CV) Disputed (S&A) | (CV) Disputed | 901, 902 (S&A) ER 402, 403, | |
| | | Due | Disputed | Disputed | 901, 902 | |
| , | | | | | (CV) ER 402, 403, 801, 802, | |
| 1 | 1496 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 2 | | to Hayley Cole, Tracy Medina, Russ Wickett | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 3 | | Re: Russ' reimbursement | Disputed | Disputed | 901, 902 (CV) ER | |
| 4 5 | 1497 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| 5 | | to Tracy Medina Re: Russ' reimbursement | (S&A) Disputed | (S&A) Disputed | 901, 902 (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ED | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1498 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | to Cecile Landcaster | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Fwd: Conferences Sign | (S&A) | (S&A) | 801, 802, | |
| | Up | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1499 | | | | 901, 902 | |
| 1422 | | (GTD D: | (orn Di | (S&A) ER | |
| | Email from Mike Cohen to Robert Fredrick Re: | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | Batanian Res | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | E 16 M1 01 | | | 402, 403, | |
| 1500 | Email from Mike Cohen to Robert Fredrick, Matt | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | Cyr, Loren Cohen Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Waterwalk bench | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 1501 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Kareen Seerley, Melissa | (S&A) | (S&A) | 402, 403, | |
| | Edwards Re: Money | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen to Yuchun Santory, Jim | | | (CV) ER | |
| | Scherbinske, Hayley | | | 402, 403, | |
| 1502 | Cole, Robert Fredrick, | | | 901, 902 | |
| | Loren Cohen Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | 2018147-8 HVE ENG 80954.pdf | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | 1 coso iipar | 2 ispanea | 2 ispansa | 1 - 0 1 , | 1 |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|---|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Email from Mike Cohen to Jim Scherbinske, | | | (CV) ER | |
| 4 | | Yuchun Santory, Hayley | | | 402, 403, | |
| 5 | 1503 | Cole, Robert Fredrick, Loren Cohen Re: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 6 | | 2018147-8 HVE ENG 80954.pdf | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 7 | | 60934.pui | Disputed | Disputed | (CV) ER | |
| 8 | | Email from Mike Cohen | | | 402, 403, | |
| 9 | 1504 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 10 | | Tracy Medina Re: Money | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 11 | | | | , | (CV) ER | |
| | 1505 | | | | 402, 403, 901, 902 | |
| 12 | 1505 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 13 | | to Hayley Cole, Loren Cohen Re: Brandie | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 14 | | Email from Mike Cohen | • | • | | |
| 15 | | to Jen Evans Re: Secure Message: From Jen | | | (CV) ER 402, 403, | |
| 16 | 1506 | Evans - Michael A Cohen Spousal | | | 801, 802, 901, 902 | |
| 17 | 1300 | Equivalent Access | | | (S&A) ER | |
| 18 | | Trust/Cohen - 5210 & 5212 46th Street Ct W - | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | 0191259-TR | Disputed | Disputed | 901, 902 | |
| 19 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 20 | 1507 | to Kareen Seerley, Jim | | | 901, 902 | |
| 21 | | Scherbinske Re: Mb Electric - Point Ruston | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 22 | | Building 11 | Disputed | Disputed | 901, 902 | |
| 23 | | | | | (CV) ER 402, 403, | |
| 24 | 1508 | - " | (OT) D | (077) 73 | 901, 902 | |
| 25 | | Email from Mike Cohen to Hayley Cole, Loren | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 26 | | Cohen Re: Brandie | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|-------------------------|------------------------|---------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 1500 | to James L. Weymouth, | | | 901, 902 | |
| 1509 | Jim Korbein, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Cohen 17 Rainier sales since Sept.1 | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | since sept.1 | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1510 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Robert Fredrick Re: Batanian Res | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | Email from Mike Cohen | Disputed | Disputed | (CV) ER | |
| | to Jim Korbein, James L. | | | 402, 403, | |
| 1511 | Weymouth, Loren Cohen Rainier Building | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | SALES (to BUILDER) | (S&A) | (S&A) | 402, 403, | |
| | 10-20-20.xlsx | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1512 | | | | 901, 902 (C.S.A.) ED | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | to Mike Cohen Fwd: | (S&A) | (S&A) | 801, 802, | |
| | Updated Rainier Sales | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| 1513 | D 11.0 3.03 0 1 | (010.5) | (01) 5: | 901, 902 | |
| | Email from Mike Cohen to Ken Collins Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Tournament | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, 801, 802, | |
| 1514 | to Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | Cohen Re: fireplace remotes Baker | (S&A) | (S&A) | (S&A) ER | |
| | Temotes Daker | Disputed | Disputed | 402, 403, | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 801, 802, | |
| 4 | | | | | 901, 902 | |
| 5 | | Email from Mike Cohen | | | | |
| 6 | | to Victoria Willing, Jim | | | (CV) ER | |
| 7 | 1515 | Scherbinske, Jennifer Andlovec, Loren Cohen | | | 402, 403, 901, 902 | |
| 8 | 1313 | Fwd: Rainier Building | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 9 | | SALES (to BUILDER) 10-20-20.xlsx | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 10 | | Email from Mike Cohen to Jim Scherbinske, | | | (CV) ER 402, 403, | |
| 11 | 1516 | Victoria Willing Fwd: | | | 901, 902 | |
| 12 | | Rainier Building SALES (to BUILDER) 10-20- | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | 20.xlsx | Disputed | Disputed | 901, 902 | |
| 13 | | | | | (CV) ER 402, 403, | |
| 14 | | | | | 801, 802, 901, 902 | |
| 15 | 1517 | F 76 M7 61 | (CT) D: 1 | (CT) D' 1 | (S&A) ER | |
| 16 | | Email from Mike Cohen to Stacy Carkonen Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 17 | | CHI Franciscan | Disputed | Disputed | 901, 902 (CV) ER | |
| 18 | | | | | 402, 403, | |
| 19 | | | | | 801, 802, 901, 902 | |
| 20 | 1518 | F 76 M7 61 | (CT) D: 1 | (CT) D' 1 | (S&A) ER | |
| 21 | | Email from Mike Cohen to Robert FredrickRe: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 22 | | Batanian Res | Disputed | Disputed | 901, 902 (CV) ER | |
| 23 | | | | | 402, 403, | |
| 24 | 1510 | | | | 801, 802, 901, 902 | |
| 25 | 1519 | E16 NC1 - C-1 | (CV) D: 4 1 | (CV) D: 4 1 | (S&A) ER | |
| | | Email from Mike Cohen to Hayley Cole Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 26 | | Amanda's review | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 5 | 1520 | to Stacy Carkonen, | | | (S&A) ER | |
| 6 | | Michael Foley Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 7 | | Public Market | (S&A) | (S&A) | 801, 802, | |
| / | | Prospecting | Disputed | Disputed | 901, 902 (CV) ER | |
| 8 | | | | | 402, 403, | |
| 9 | 1521 | Email from Mike Cohen | | | 901, 902 | |
| | 1321 | to Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 10 | | Cohen Re: point ruston market | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 11 | | market | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| 12 | | | | | 801, 802, | |
| 13 | 1522 | _ ,, , , ,,,, | | | 901, 902 | |
| 14 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 14 | | to Michael Foley, Yuchun Santory Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 15 | | Follow-up on Alex | Disputed | Disputed | 901, 902 | |
| 16 | | • | | - | (CV) ER | |
| 10 | | | | | 402, 403, | |
| 17 | | | | | 801, 802, 901, 902 | |
| 18 | 1523 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 19 | | to Rod McCarten Fwd: | (S&A) | (S&A) | 801, 802, | |
| 20 | | Point Ruston Bldg 4 | Disputed | Disputed | 901, 902 | |
| 21 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 21 | 1.50 | to Jim Scherbinske, | | | 901, 902 | |
| 22 | 1524 | Loren Cohen Fwd: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 23 | | Rainier building 4 lift | (S&A) | (S&A) | 402, 403, | |
| | | station delivery | Disputed | Disputed | 901, 902 | |
| 24 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 25 | 1525 | to Tracy Medina Read: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | RE: Fadi Account | (S&A) | (S&A) | 901, 902 | |
| 26 | | Balance | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--------------------------------------|---------------------|---------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1526 | to Vanessa Ray, Tracy | | | 901, 902 | |
| | Medina, Lee Cohen Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | ESTIMATE - Jaime's Truck | (S&A) Disputed | (S&A) | 402, 403, 901, 902 | |
| | TTUCK | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1507 | | | | 901, 902 | |
| 1527 | Email from Mike Cohen | | | (S&A) ER | |
| | to Vanessa Ray, Tracy | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Medina Re: ESTIMATE | (S&A) | (S&A) | 801, 802, | |
| | - Jaime's Truck | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 1528 | Email from Mike Cohen | | | (S&A) ER | |
| | to Vanessa Ray, Tracy | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Medina Re: ESTIMATE | (S&A) | (S&A) | 801, 802, | |
| | - Jaime's Truck | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1529 | Email from Mike Cohen | | | (S&A) ER | |
| | to Michael Foley, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Yuchun Santory Re: | (S&A) | (S&A) | 801, 802, | |
| | Follow-up on Alex | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1530 | D 70 M7 C1 | (CID D: | (CID D: | 801, 802, | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | to Hayley Cole Fwd: Parking spots | (S&A) Disputed | (S&A) | (S&A) ER 402, 403, | |
| | 1 arking spois | Disputed | Disputed | 402, 403, | 1 |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|-------------------------|-------------------------|-----------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1521 | | | | 901, 902 | |
| 1531 | Email from Mike Cohen | | | (S&A) ER | |
| | to Yuchun Santory, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Michael Foley Re: | (S&A) | (S&A) | 801, 802, | |
| | Follow-up on Alex | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| | to Michael Foley, Robert | | | 901, 902 | |
| 1532 | Fredrick, Yuchun | | | (S&A) ER | |
| | Santory Re: GROCERY | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | PHONE | (S&A) | (S&A) | 801, 802, | |
| | CONFERENCE | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 1533 | to Yuchun Santory | | | (S&A) ER | |
| | Accepted: GROCERY | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | PHONE | (S&A) | (S&A) | 801, 802, | |
| | CONFERENCE | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| 1534 | Email fram Mile C-1 | (CV) Di | (CV) Di | 901, 902 | |
| | Email from Mike Cohen to Loren Cohen Re: Tim | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Batanian Plans Job | Disputed | Disputed | 901, 902 | |
| | Dataman I Idio 700 | Disputed | Disputed | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1525 | to Rod McCarten Fwd: | | | 901, 902 | |
| 1535 | Occupancy for #110 at | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | The Rainier | (S&A) | (S&A) | 402, 403, | |
| | Condominiums | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-------------|--------------|--|---------------------|-------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, | |
| | 1536 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 5 | | to Loren Cohen Re: Tim | (S&A) | (S&A) | 402, 403, | |
| 6 | | Batanian Plans Job | Disputed | Disputed | 901, 902 | |
| ٦ | | | | | (CV) ER | |
| 7 | | | | | 402, 403, | |
| 8 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| | 1537 | to Hayley Cole, Robert | | | (S&A) ER | |
| 9 | | Fredrick, Bill Felker, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 10 | | Yuchun Santory Re: | (S&A) | (S&A) | 801, 802, | |
| $_{11}$ | | community room | Disputed | Disputed | 901, 902 | |
| 11 | | | | | (CV) ER 402, 403, | |
| 12 | | Email from Mike Cohen | | | 901, 902 | |
| 13 | 1538 | to Jim Weymouth, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | James R. Korbein, Loren | (S&A) | (S&A) | 402, 403, | |
| 14 | | Cohen Nice lighted sign | Disputed | Disputed | 901, 902 | |
| 15 | | Email from Mike Cohen to Lee Cohen, Rod | | | (CV) ER | |
| | | McCarten, Hayley Cole, | | | 402, 403, | |
| 16 | 1539 | Yuchun Santory, Loren | | | 901, 902 | |
| 17 | | Cohen, Tony Holman | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| . | | Re: Security Cameras | (S&A) | (S&A) | 402, 403, | |
| 18 | | Update: | Disputed | Disputed | 901, 902 | |
| 19 | | | | | (CV) ER 402, 403, | |
| 20 | | | | | 801, 802, | |
| 20 | 1540 | | | | 901, 902 | |
| 21 | 1340 | Email from Mike Cohen | | | (S&A) ER | |
| 22 | | to Hayley Cole, Amanda | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 22 | | Johnson Re: Parking | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 23 | | spots | Disputed | Disputed | (CV) ER | |
| 24 | | Email from Mike Cohen | | | 402, 403, | |
| | 1541 | to Hayley Cole, Loren | | | 901, 902 | |
| 25 | 1341 | Cohen, Robert | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 26 | | FredrickRe: Lobby Areas - Rainier | (S&A) | (S&A) | 402, 403, | |
| 20 | | Areas - Kamler | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | 1540 | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 5 | 1542 | to Robert Fredrick, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 6 | | Hayley Cole RE: Lobby Areas - Rainier | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | | • | | (CV) ER | |
| 7 | | | | | 402, 403, 801, 802, | |
| 8 | 1543 | | | | 901, 902 | |
| 9 | 1343 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 10 | | to Kareen Seerley FW: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | Balances due Pacific | Disputed | Disputed | 901, 902 | |
| 11 | | | | | (CV) ER 402, 403, | |
| 12 | | | | | 801, 802, | |
| 13 | 1544 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 14 | | to Hayley Cole, Amanda | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 15 | | Johnson, Julie Bernsten | (S&A) | (S&A) | 801, 802, | |
| | | RE: Parking spots | Disputed | Disputed | 901, 902 (CV) ER | |
| 16 | | Email from Mike Cohen | | | 402, 403, | |
| 17 | 1545 | to Rod McCarten RE: Occupancy for #110 at | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 18 | | The Rainier | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 19 | | Condominiums | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| 20 | | | | | 801, 802, | |
| 21 | 1546 | | | | 901, 902 (S&A) ER | |
| 22 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 23 | | to Tracy Medina Read: Fadi Account Balance | (S&A) | (S&A) Disputed | 801, 802, 901, 902 | |
| 24 | | radi Account Dalance | Disputed | Disputed | (CV) ER | |
| | 1547 | Email from Mike Cohen | (CV) D: 4 1 | (CIV) D: 1 1 | 402, 403, | |
| 25 | 1547 | to Tracy Medina, Matt Cyr RE: Fadi Account | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 801, 802, 901, 902 | |
| 26 | | Balance | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|-------------------|-------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| π | | | | 402, 403, | |
| | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1548 | | | | 901, 902 | |
| 10.10 | - 10 No. 10 O. 1 | (077) 73 | (orn n: | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Al Malcolm hola to my Canuck friend | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | my Candek Hiend | Disputed | Disputed | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1540 | to Loren Cohen, Lee | | | 901, 902 | |
| 1549 | Cohen RE: Occupancy | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | for #110 at The Rainier | (S&A) | (S&A) | 402, 403, | |
| | Condominiums | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1550 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole RE: | (S&A) | (S&A) | 801, 802, | |
| | envision | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1551 | | | | 901, 902 (S&A) ED | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | to Hayley Cole RE: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | Building 7 bike spaces | Disputed | Disputed | 901, 902 | |
| | | • | • | (CV) ER | |
| | | | | 402, 403, | |
| 1552 | Email from Mike Cohen | | | 801, 802, | |
| 1002 | to Matt Cyr, Tracy | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | Medina RE: Fadi | (S&A) | (S&A) | (S&A) ER | |
| | Account Balance | Disputed | Disputed | 402, 403, | <u> </u> |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|----------|--|--------------------------|------------------------|------------------------|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | 801, 802, | |
| | | | | | 901, 902 | |
| | | | | | | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 1553 | | | | 901, 902 | |
| | 1333 | T 110 M1 01 | (CID D: 1 | (010 D: 1 | (S&A) ER | |
| | | Email from Mike Cohen to Hayley Cole RE: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Building 7 bike spaces | Disputed | Disputed | 901, 902, | |
| , | | Bulding / emic spaces | 2 ispaired | | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1554 | | | | 901, 902 (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Tracy Medina RE: | (S&A) | (S&A) | 801, 802, | |
| | | Vehicle Oil Change | Disputed | Disputed | 901, 902 | |
| | | - " 2 - 5" - 2 - 1 | | | (CV) ER | |
| | | Email from Mike Cohen to Hayley Cole, Lee | | | 402, 403, 901, 902 | |
| | 1555 | Cohen, Loren Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | RE: village on main mat | (S&A) | (S&A) | 402, 403, | |
| | | mock up | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| | 1556 | Email from Mike Cohen | | | (S&A) ER | |
| | | to MargoCB, Amanda | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Johnson RE: Unit 411 | (S&A) | (S&A) | 801, 802, | |
| | | changes | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | 1557 | | | | 801, 802, | |
| | 1557 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | to Hayley Cole Bart at | (S&A) | (S&A) | (S&A) ER | |
| L | | market | Disputed | Disputed | 402, 403, | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|---------------------|-------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 11 | | | | 801, 802, | |
| | | | | 901, 902 | |
| | | | | | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 1558 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole RE: | (S&A) | (S&A) | 801, 802, | |
| | Buiding 7 bike spaces | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1559 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Hayley Cole Re: | (S&A) | (S&A) | 801, 802, | |
| | Buiding 7 bike spaces | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1560 | Email from Mike Cohen | | | 901, 902 | |
| | to MargoCB, Amanda | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | Johnson Re: Unit 411 | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | changes | Disputed | Disputed | 901, 902 | |
| | | • | • | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 1561 | to Michael Foley FW: | | | 901, 902 | |
| | Taco Street Tenant | (CIV) D: 4 1 | (CIV) D: 4 1 | (S&A) ER | |
| | Improvement Permit | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Issuance - BLDCA20- 0300 | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | - 40 | | - | (CV) ER | |
| 1560 | Email from Mike Cohen | (CID D: | (CII) D: : : | 402, 403, | |
| 1562 | to Hayley Cole, Michael | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | Foley RE: Taco Street Tenant Improvement | (S&A) Disputed | (S&A) Disputed | 901, 902 (S&A) ER | |
| | 1 chant improvement | Disputed | Disputed | (S&A) ER | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | Permit Issuance - | | | 402, 403, | |
| 4 | | BLDCA20-0300 | | | 801, 802, 901, 902 | |
| 5 | | | | | (CV) ED | |
| 6 | | | | | (CV) ER 402, 403, | |
| 7 | | Email from Mike Cohen | | | 801, 802, | |
| | 1563 | to Stacy Carkonen, | | | 901, 902 (S&A) ER | |
| 8 | | Michael Foley Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 9 | | Chambers Bay Distillery upstairs bar. | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 10 | | upstaris our. | Disputed | Disputed | (CV) ER | |
| 11 | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| 12 | 1564 | | | | (S&A) ER | |
| 13 | | Email from Mike Cohen to Robert Fredrick Tim | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 14 | | Baanian meeting | Disputed | Disputed | 901, 902, | |
| 15 | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| 16 | 1565 | | | | 901, 902 | |
| 17 | 1303 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 18 | | to Yuchun Santory Accepted: 2:30 MIKE | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 19 | | COHEN MARKET | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| 20 | | | | | 801, 802, | |
| 21 | 1566 | Email from Mike Cohen | | | 901, 902 | |
| 22 | | to MargoCB, Julie Bernsten Please confirm | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 23 | | each P&S has a cover sheet | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 24 | | | • | • | (CV) ER | |
| 25 | 1567 | Email from Mike Cohen to Stacy Carkonen, | (CV) Disputed | (CV) Disputed | 402, 403, 801, 802, | |
| 26 | 1507 | Hayley Cole Re: Anne | (S&A) | (S&A) | 901, 902 | |
| 20 | | Flood Gallery request | Disputed | Disputed | (S&A) ER | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----------|------|--|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 402, 403, | |
| 4 | | | | | 801, 802, 901, 902 | |
| 5 | | | | | (CII) ED | |
| 6 | | | | | (CV) ER 402, 403, | |
| 7 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 8 | 1568 | to Brian Williams, | (073) 71 | (073) 71 | (S&A) ER | |
| 9 | | Hayley Cole, Stacy Carkonen RE: Can we | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | fulfill promises made | Disputed | Disputed | 901, 902 | |
| 0 | | | | | (CV) ER 402, 403, | |
| 1 | 1569 | Email from Mike Cohen | (CV) Discosted | (CV) Disserted | 901, 902 | |
| 2 | | to Jennifer Andlovec, Loren Cohen, Hayley | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 3 | | Cole RE: \$\$\$ | Disputed | Disputed | 901, 902 (CV) ER | |
| 4 | | | | | 402, 403, | |
| 5 | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 6 | 1570 | to Brian Williams, | | | (S&A) ER | |
| 7 | | Hayley Cole RE: Can we fulfill promises | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 8 | | made | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| ' | 1571 | | (CT) D: | (CT) D: | 901, 902 | |
|) | | Email from Mike Cohen | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | to Loren Cohen RE: \$\$\$ | Disputed | Disputed | 901, 902 | |
| 2 | | | | | (CV) ER 402, 403, | |
| 3 | 1572 | | (CV) D:t-1 | (CV) D: | 901, 902 | |
| $\ \ $ | | Email from Mike Cohen | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | to Hayley Cole RE: \$\$\$ | Disputed | Disputed | 901, 902 | |
| | 1573 | Email from Mike Cohen | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (CV) ER 402, 403, | |
| | | to Loren CohenRE: \$\$\$ | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S | | | | |
|------|---------------------------------------|-------------------------|-------------------------|---------------------------|----------|
| Ex. | EXHIBITS Description | Authenticity | Admissibility | Objection | Admitted |
| # | Description | Authenticity | Admissionity | Objection | Aumitteu |
| | | | | (S&A) ER | |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1574 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | to Hayley Cole FW: Can | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | we fulfill promises | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | made | Disputed | Disputed | 901, 902 | |
| | | _ ispaida | _ ispared | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1575 | Email from Mike Cohen | | | 901, 902 | |
| 13/3 | to Hayley Cole RE: | | | (S&A) ER | |
| | Proposal for Point | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Ruston Website : 10-21- | (S&A) | (S&A) | 801, 802, | |
| | 2020 | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Jennifer Andlovec, | | | 402, 403, | |
| 1576 | Hayley Cole RE: Rainier | (CV) Diameted | (CV) Disputed | 901, 902 (C.S.A.) ED | |
| | Building SALES (to BUILDER) 10-20- | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | 20.xlsx | Disputed | Disputed | 901, 902 | |
| | ZU.AISA | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1577 | Email from Mike Cohen | | | 901, 902 | |
| 1577 | to Amanda Johnson, | | | (S&A) ER | |
| | Hayley Cole, Rod | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | McCarten RE: | (S&A) | (S&A) | 801, 802, | |
| | 20201028103937191.pdf | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | (CV) ER | |
| | to Hayley Cole, Jennifer | | | 402, 403, | |
| 1578 | Andlovec RE: Rainier | (CIV) D: | (CIV D: 4.1 | 901, 902 | |
| | Building SALES (to | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | BUILDER) 10-20- 20.xlsx | (S&A) | (S&A) | 402, 403, 901, 902 | |
| | ZU.XISX | Disputed | Disputed | 901, 902 | I |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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| | DEFENDANT'S EXHIBITS | | | | |
|-------|-------------------------|---------------|---------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 1579 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Rod McCarten kell | (S&A) | (S&A) | 801, 802, | |
| | Chuck | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1.500 | | | | 901, 902 | |
| 1580 | | | | (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Jeremy Pfingston RE: | (S&A) | (S&A) | 801, 802, | |
| | Lakewood City Glass | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902 | |
| 1581 | Email from Mike Cohen | | | (S&A) ER | |
| | to Tracy Medina, Matt | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Cyr RE: Fadi Account | (S&A) | (S&A) | 801, 802, | |
| | Balance | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1582 | Email from Mike Cohen | | | (S&A) ER | |
| | to Tracy Medina, Matt | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Cyr RE: Fadi Account | (S&A) | (S&A) | 801, 802, | |
| | Balance | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1583 | Email from Mike Cohen | | | (S&A) ER | |
| | to Stacy Carkonen, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| , , | Hayley Cole RE: Anne | (S&A) | (S&A) | 801, 802, | 1 |
| | Trayley Cole R.E. Aime | (5621) | (50011) | 001, 002, | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|------|-------|---------------------------------------|-------------------|---------------------|---------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 1584 | Email from Mike Cohen | | | 901, 902 (C.S.A.) ED | |
| | | to Stacy Carkonen RE: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Anne Flood Gallery | (S&A) | (S&A) | 801, 802, | |
| l | | request | Disputed | Disputed | 901, 902 | |
| l | | | | | (CV) ER 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, | |
| | 1585 | to Deirdre Kurian Re: | | | 901, 902 (C.S.A.) ED | |
| | | Important Product Safety Notification | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Regarding Your | (S&A) | (S&A) | 801, 802, | |
| l | | Amazon.com Order(s) | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| l | | | | | 801, 802, | |
| l | 1586 | | | | 901, 902 | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | to Hayley Cole Is Travis | (S&A) | (S&A) | 801, 802, | |
| | | taken care of? | Disputed | Disputed | 901, 902 | |
| l | | | | | (CV) ER 402, 403, | |
| | 1587 | | | | 901, 902 | |
| | 1367 | Email from Mike Cohen | (CV) Disputed | | (S&A) ER | |
| | | to Jim Scherbinske Re: Notice | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| | 1588 | to Hayley Cole, Amanda | | | (S&A) ER | |
| $\ $ | | Johnson, Rod McCarten | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Re: 411 change order pricing drafts | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | 11 | F W | 1 F | , - | 1 |

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THOMPSON HOWLE VAUGHN

| | | DEFENDANT'S EXHIBITS | | | | |
|---------|-------|---|-------------------------|-------------------------|------------------------|----------|
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| $\ \ $ | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 1.500 | | | | 901, 902 | |
| | 1589 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Kareen Seerley, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Jennifer Andlovec Re: 50% retention Stegin B4 | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | 30% retention Stegin b4 | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1590 | E 16 M1 01 | | | 901, 902 | |
| | | Email from Mike Cohen to Kareen Seerley, | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Yuchun Santory Re: | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | Kell Chuck CO | Disputed | Disputed | 901, 902 | |
| | | | • | | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1591 | | | | 901, 902 (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Tracy Medina Re: | (S&A) | (S&A) | 801, 802, | |
| _ | | Draft for Fadi Alhafez | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, 801, 802, | |
| | | to Matt Cyr, Yuchun | | | 901, 902 | |
| | 1592 | Santory, Hayley Cole | | | (S&A) ER | |
| | | Fwd: #204357 801 8th | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | St W Fence permit | (S&A) | (S&A) | 801, 802, | |
| F | | application | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1593 | | | | 901, 902 | |
| | 1070 | E1 f N/1 - C 1 | (CIV) D: 4 1 | (CV) D: 4 1 | (S&A) ER | |
| | | Email from Mike Cohen to Deirdre KurianRe: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | COHEN - R-1180-2 | Disputed | Disputed | 901, 902 | |
| _ | | | | | | • |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|------|--|---|-------------------------|------------------------|----------|
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | | | | | 901, 902 | |
| | 1594 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Yuchun Santory Re: | (S&A) | (S&A) | 801, 802, | |
| | | Kell Chuck CO | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | 1595 | Email from Mike Cohen | | | 901, 902 | |
| | 1393 | to Hayley Cole, Amanda | | | (S&A) ER | |
| | | Johnson, Rod McCarten | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Re: 411 change order | (S&A) | (S&A) | 801, 802, | |
| ŀ | | pricing drafts | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, | |
| | 1596 | to Amanda Johnson, | | | 901, 902 | |
| ĺ | 1390 | Hayley Cole, Rod | | | (S&A) ER | |
| | | McCarten Re: 411 | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | change order pricing drafts | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| - | | mans | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1597 | | | | 901, 902 | |
| | , | Email from Miles Cal | (CV) Dit- 1 | (CV) D:4- 1 | (S&A) ER | |
| | | Email from Mike Cohen to Tracy Medina Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Draft for Fadi Alhafez | Disputed | Disputed | 901, 902, | |
| r | | | _ ===================================== | | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1598 | | | | 901, 902 | |
| | | Email from Miles Cale | (CV) Diameter 1 | (CV) Diamente d | (S&A) ER | |
| | | Email from Mike Cohen to Brian Williams Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | logo comp | Disputed | Disputed | 901, 902 | |
| _ | | 5 T" | | | , , | 1 |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|--|-------------------|---------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1599 | Email from Mike Cohen | | | 901, 902 | |
| | 1000 | to Yuchun Santory Re: L&I BUILDING 11 | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| 6 | | INSPECTION AT | (CV) Disputed | (CV) Disputed | 801, 802, | |
| 7 | | MARKET | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 9 | | | | | 801, 802, | |
| | 1600 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 10 | | to Yuchun Santory, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 11 | | Hayley Cole Re: Kell | (S&A) | (S&A) | 801, 802, | |
| 12 | | Chuck CO | Disputed | Disputed | 901, 902 (CV) ER | |
| 13 | | | | | 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| 14 | 1601 | | | | (S&A) ER | |
| 15 | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 16 | | to Brian Williams Re: logo comp | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| 17 | | logo comp | Disputed | Disputed | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| 18 | 1602 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 19 | | Loren Cohen, Hayley | (S&A) | (S&A) | 402, 403, | |
| 20 | | Cole Re: Jennifer Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| 21 | | to Loren Cohen, Jim | | (CV) | | |
| 22 | 1603 | Scherbinske Re: | | Stipulated | | |
| | | accounting for Cohen Buy-Out Agreement | | (S&A) Stipulated | | |
| 23 | | , , | | • | (CV) ER | |
| 24 | | | | | 402, 403, 901, 902 | |
| 25 | 1604 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 26 | | to Loren Cohen Fwd: | (S&A) | (S&A) | 402, 403, | |
| 20 | | Bonus Holidays for 2020 | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|------|-------|--|-------------------------|-------------------------|-----------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, | |
| | 1605 | to Jennifer Andlovec, | (CV) Discussor 1 | (CV) D: | 901, 902 | |
| $\ $ | | Loren Cohen, Victoria Willing, Terri Escritor | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| l | | Re: Public Market | Disputed | Disputed | 901, 902 | |
| | | ice. I done Warket | Disputed | Disputed | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1606 | | | | 901, 902 | |
| | 1000 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Stacy Carkonen, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Michael Foley Re: | (S&A) | (S&A) | 801, 802, | |
| | | response to Organic 9 | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, | |
| | | | | | 901, 902 | |
| | 1607 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | to Michael Foley Re: | (S&A) | (S&A) | 801, 802, | |
| | | response to Organic 9 | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| | 1608 | to Jennifer Andlovec, | | | (S&A) ER | |
| | | Hayley Cole, MargoCB, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Julie Bernsten Re: 409 | (S&A) | (S&A) | 801, 802, | |
| | | Hargreaves | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| l | 1609 | Email from Mike Cohen | | | 901, 902 | |
| | 1007 | to Jennifer Andlovec, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Loren Cohen Re: Public | (S&A) | (S&A) | 402, 403, | |
| | | Market Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | | to MargoCB, Jennifer | | | (CV) ER 402, 403, | |
| | 1610 | Andlovec, Hayley Cole, | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | 1010 | Julie Bernsten Re: 409 | (S&A) | (S&A) | 901, 902 | |
| ١ | | Hargreaves | Disputed | Disputed | (S&A) ER | |

| 1 | DEFENDANT'S EXHIBITS | | | | |
|-------|---|---------------------|------------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| | | | | | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1611 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | to Hayley Cole, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | MargoCBRe: 409 | (S&A) | (S&A) | 801, 802, | |
| | Hargreaves | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| 1612 | to Cecile Landcaster | | | (S&A) ER | |
| | Fwd: Reminder: Please | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | DocuSign: WA Full TAP.pdf | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, 801, 802, | |
| 1613 | to Vuchun Santory | | | 901, 902 | |
| 1013 | Accepted: L&I | (CID D: 4 1 | (CIV D: 1 | (S&A) ER | |
| | BUILDING 11 INSPECTION AT | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | MARKET | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | Email from Mike Cohen | | | 801, 802, | |
| 1614 | to Yuchun Santory | | | 901, 902 | |
| | Accepted: FW: L&I BUILDING 11 | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | INSPECTION AT | (S&A) | (S&A) | 801, 802, | |
| | MARKET | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | (CV) ER 402, 403, | |
| 1615 | Loren Cohen, Hayley | (S&A) | (S&A) | 901, 902 | |
| | Cole Re: DM KELLY | Disputed | Disputed | (S&A) ER | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|--|-------|---|-------------------------|-------------------------|-------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | 402, 403, | |
| 4 | | | | | 901, 902 | |
| 5 | | | | | (CV) ER 402, 403, | |
| 6 | 1616 | Email from Mike Cohen | | | 901, 902 | |
| , | 1010 | to Loren Cohen Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| Ш | | Apartment Manager Job // RPS | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | • | • | (CV) ER | |
| | | to Cecile Landcaster, Amara Foster Fwd: | | | 402, 403, 901, 902 | |
| | 1617 | Payroll | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Modification/Approval Deadline | (S&A) | (S&A) | 402, 403, | |
| $\begin{bmatrix} 1 \\ 2 \end{bmatrix}$ | | Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| | | to Hayley Cole, Loren | | | 402, 403, | |
| | 1618 | Cohen, Jim Scherbinske, Tracy Medina Re: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| . | | DREYERS OFFICE | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | INTERIORS | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | 1619 | Email from Mike Cohen | | | 901, 902 | |
| $\ $ | 1019 | to Loren Cohen Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Apartment Manager Job // RPS | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | | • | • | (CV) ER | |
| | | | | | 402, 403, 801, 802, | |
| | 1620 | Email from Mike Cohen | | | 901, 902 | |
| | 1020 | to Robert Fredrick, | (CV) Disserted | (CV) Disserts 1 | (S&A) ER | |
| | | Hayley ColeFwd: Building 7 Community | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Space Options | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | 1621 | Email from Mike Cohen | | | 901, 902 | |
| | 1621 | to Loren Cohen Re: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Community Manager Job // RPS | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | 100 II 14 S | Disputou | Disputed | -01, -02 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|-----|-------|--|---------------------|-------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | Email from Mike Cohen | | | 402, 403, | |
| | 1622 | to Loren Cohen, Jim Scherbinske Fwd: \$15K | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 5 | | TI reimbursement to | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 6 | | Owens | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| 7 | | Email from Miles Calon | | | 402, 403, | |
| 8 | 1623 | Email from Mike Cohen to Hayley Cole, Loren | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| | | Cohen, Jim Scherbinske | (S&A) | (S&A) | 402, 403, | |
| 9 | | Re: FW: RE: | Disputed | Disputed | 901, 902 | |
| 10 | | | | | (CV) ER | |
| 11 | | | | | 402, 403, | |
| 11 | | | | | 801, 802, 901, 902 | |
| 12 | 1624 | Email from Mike Cohen | | | (S&A) ER | |
| 13 | | to Jennifer Andlovec, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Hayley Cole Re: Rainier | (S&A) | (S&A) | 801, 802, | |
| 14 | | - non-refundable | Disputed | Disputed | 901, 902 | |
| 15 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 1.0 | 1.605 | to Loren Cohen, Jennifer | | | 901, 902 | |
| 16 | 1625 | Andlovec, Hayley Cole | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 17 | | Re: Rainier - non- | (S&A) | (S&A) | 402, 403, | |
| 18 | | refundable | Disputed | Disputed | 901, 902 | |
| 16 | | | | | (CV) ER 402, 403, | |
| 19 | 1.606 | Email from Mike Cohen | | | 901, 902 | |
| 20 | 1626 | to Matt Cyr, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 20 | | Cohen, Robert Fredrick | (S&A) | (S&A) | 402, 403, | |
| 21 | | Re: Waterwalk bench | Disputed | Disputed | 901, 902 | |
| 22 | | | | | (CV) ER 402, 403, | |
| | | | | | 801 802, | |
| 23 | 1627 | | | | 901, 902 | |
| 24 | 1027 | | | | (S&A) ER | |
| | | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 25 | | to Tracy Medina Read: MCCI Payables | (S&A) Disputed | (S&A) Disputed | 801 802, 901, 902 | |
| 26 | | wicci i ayauics | Disputed | Disputed | 701, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|-------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 5 | 1628 | to Tracy Medina, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | CohenRe: MCCI Payables | (S&A) | (S&A) | 402, 403, | |
| 6 | | Payables | Disputed | Disputed | 901, 902 (CV) ER | |
| 7 | | Email from Mike Cohen | | | 402, 403, | |
| 8 | 1629 | to Jennifer Andlovec, | (CT) D: 1 | (011) D: 1 | 901, 902 | |
| | | Loren Cohen Re: MDF commission report - | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 9 | | please approve | Disputed | Disputed | 901, 902 | |
| 10 | | • | • | • | (CV) ER | |
| 11 | | | | | 402, 403, | |
| 11 | | | | | 801, 802, 901, 902 | |
| 12 | 1630 | Email from Mike Cohen | | | (S&A) ER | |
| 13 | | to Tracy Medina, Matt | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Cyr Re: Account | (S&A) | (S&A) | 801, 802, | |
| 14 | | Balance Due | Disputed | Disputed | 901, 902 | |
| 15 | | | | | (CV) ER 402, 403, | |
| 16 | | | | | 801, 802, | |
| 16 | 1631 | | | | 901, 902 | |
| 17 | 1031 | Email from Mike Cohen | (CIV) D: 4 1 | (CI) D: 1 | (S&A) ER | |
| 18 | | to Tracy Medina Re: New Employee | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Contracts | Disputed | Disputed | 901, 902 | |
| 19 | | | | • | (CV) ER | |
| 20 | | E IC MI CI | | | 402, 403, | |
| 21 | 1632 | Email from Mike Cohen to Tracy Medina Re: | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 21 | | Julie's Credit Card | (S&A) | (S&A) | 402, 403, | |
| 22 | | Statement | Disputed | Disputed | 901, 902 | |
| 23 | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 24 | 1633 | to Loren Cohen Fwd: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 25 | | Julie's Credit Card | (S&A) | (S&A) | 402, 403, | |
| 26 | | Statement | Disputed | Disputed | 901, 902 | |
| 20 | | | | | | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|---|------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 901, 902 | |
| 5 | 1634 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | to Tracy MedinaRead: | (S&A) | (S&A) | 402, 403, | |
| 6 | | MCCI Checks to Sign | Disputed | Disputed | 901, 902 (CV) ER | |
| 7 | | | | | 402, 403, | |
| 8 | | | | | 801, 802, | |
| | 1635 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 9 | | to Tracy Medina, Hayley | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 10 | | Cole Re: MCCI Checks | (S&A) | (S&A) | 801, 802, | |
| 11 | | to Sign | Disputed | Disputed | 901, 902 (CV) ER | |
| 10 | | Email from Mike Cohen | | | 402, 403, | |
| 12 | 1636 | to Loren Cohen, Jennifer | (GIN D: 1 | (011) D: 1 | 901, 902 | |
| 13 | | Andlovec, Hayley Cole Re: Rainier - non- | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 14 | | refundable | Disputed | Disputed | 901, 902 | |
| 15 | | | | _ | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 16 | 1637 | to Loren CohenFwd: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 17 | | Building issues effecting | (S&A) | (S&A) | 402, 403, | |
| 18 | | tenancy Email from Mike Cohen | Disputed | Disputed | 901, 902 | |
| | | to Loren | | | (CV) ER | |
| 19 | | CohenAccepted: 2:00 | | | 402, 403, | |
| 20 | 1638 | PM Call: Loren, Mike & Hayley re: Retail | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 21 | | Leasing Reports | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | (attached) | Disputed | Disputed | 901, 902 | |
| 22 | | | | | (CV) ER 402, 403, | |
| 23 | 1620 | Email from Mike Cohen | | | 901, 902 | |
| 24 | 1639 | to Bill Felker Fwd: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Building issues effecting tenancy | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 25 | | tenancy | Disputed | Disputed | 701, 902 | |

1200 FIFTH AVENUE, SUITE 625 SEATTLE, WASHINGTON 98101 206-682-8400 (tel.) 206-682-9491 (fax)

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|-------------------------|------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| ŀ | | | | | 801, 802, | |
| : | 1640 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | | to Stacy Carkonen, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Hayley Cole Punch list | (S&A) | (S&A) | 801, 802, | |
| | | for market | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| II | | | | | 402, 403, 801, 802, | |
| | | | | | 901, 902 | |
| | 1641 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Hayley Cole Re: want | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | another one? HA! | (S&A) | (S&A) | 801, 802, | |
| | | KIDDING | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1642 | | | | 901, 902 | |
| | 1042 | Email from Mike Cohen | (CIV) D: 4 1 | (CV) D: 1 | (S&A) ER | |
| II | | to Paul Daigle Fwd: want another one? HA! | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| II | | KIDDING | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER | |
| II | | to Bill Felker, Matt Cyr, | | | 402, 403, | |
| II | 1643 | Loren Cohen, Yuchun | (CI) D: 4 1 | (CI) D: 1 | 901, 902 | |
| | | Santory, Lee Cohen Re: Building 7-SEPA | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Mitigation Requirements | Disputed | Disputed | 901, 902 | |
| | | -6 | - | | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1644 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | | to Brian Williams, Stacy | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | Carkonen, Hayley Cole | (S&A) | (S&A) | 801, 802, | |
| | | Re: PM Logo | Disputed | Disputed | 901, 902 | |
| | 1645 | | (CV) Disputed | (CV) Disputed | (CV) ER | |
| | 1645 | Email from Mike Cohen | (S&A) | (S&A) | 402, 403, | |
| | | to Tracy Medina, Loren | Disputed | Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|----------------|------------------------|------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Cohen, Hayley Cole Re: | | | (S&A) ER | |
| | MCCI Payables | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1646 | to Vanessa Ray, Loren | (CV) Discorted | (CV) Diameter 1 | 901, 902 | |
| | Cohen Re: Lot 1 well | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Affidavit - for MC | (S&A) | (S&A) | 402, 403, 901, 902 | |
| | Signature | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | Email from Mike Cohen | | | 901, 902 | |
| 1647 | to Loren Cohen Fwd: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Notice of Intent to | (S&A) | (S&A) | 402, 403, | |
| | Correct Defective Work | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | | | | |
| | to Loren Cohen | | | (CV) ER | |
| | Accepted: 11:00 AM | | | 402, 403, | |
| 1648 | Call: Loren, Mike & | | | 901, 902 | |
| | Hayley re: Retail | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Leasing Reports | (S&A) | (S&A) | 402, 403, | |
| | (attached) | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1649 | Email from Mike Cohen | | | 901, 902 | |
| | | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Matt Cyr, Tracy Medina Re: Account | (CV) Disputed | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | Balance Due | Disputed | Disputed | 901, 902 | |
| | Datance Due | Dispared | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| 1650 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Lee CohenFwd: Best | (S&A) | (S&A) | 402, 403, | |
| | deal at Point Ruston! | Disputed | Disputed | 901, 902 | |
| | Email from Mike Cohen | • | · • | (CV) ER | |
| 1651 | to Loren Cohen, Lee | (CV) Disputed | (CV) Disputed | 402, 403, | |
| 1651 | Cohen Re: Best deal at | (S&A) | (S&A) | 901, 902 | |
| | Point Ruston! | Disputed | Disputed | (S&A) ER | 1 |

| | DEFENDANT'S EXHIBITS | | | | |
|------|---|--------------------------|-------------------------|------------------------|----------|
| Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 402, 403, | |
| | | | | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| 1652 | Email from Mike Cohen | | | 901, 902 | |
| 1032 | to Michael Foley, Loren Cohen, Hayley Cole Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Fwd: | Disputed | Disputed | 901, 902 | |
| | | • | • | (CV) ER | |
| | Email from Mike Cohen to Tracy Medina, | | | 402, 403, 901, 902 | |
| 1653 | Jennifer Andlovec, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Loren Cohen Re: Julie | (S&A) | (S&A) | 402, 403, | |
| | McBride | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| 1654 | - " | (| (| 901, 902 | |
| | Email from Mike Cohen to tracy Medina Re: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | Julie McBride | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, 901, 902 | |
| 1655 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | to Tracy Medina Re: | (S&A) | (S&A) | 402, 403, | |
| | Julie McBride | Disputed | Disputed | 901, 902 (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1656 | | | | 901, 902 (S&A) ER | |
| | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | to Tracy Medina Read: Email to Julie | (S&A) Disputed | (S&A) Disputed | 801, 802, 901, 902 | |
| | Diffair to suite | Disputed | Disputed | (CV) ER | |
| | | | | 402, 403, | |
| 1657 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 801, 802, 901, 902 | |
| | to Tracy Medina Re: | (S&A) | (CV) Disputed | (S&A) ER | |
| | Email to Julie | Disputed | Disputed | 402, 403, | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|---|------|--|-------------------------|-------------------------|------------------------|----------|
| | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | | 801, 802, | |
| | | | | | 901, 902 | |
| | | | | | (CIV) ED | |
| | | | | | (CV) ER 402, 403, | |
| | | Email from Mike Cohen | | | 801, 802, 901, 902 | |
| | 1658 | to Yuchun Santory Re: | | | (S&A) ER | |
| | | Accepted: building 7 assembly room fire | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | rating options | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | 1659 | Email from Mike Cohen | (077) 7: 1 | (575 5 | 901, 902 | |
| | | to Michael D Foley, Hayley Cole, Loren | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Cohen Re: [no subject] | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | | | | | 801, 802, 901, 902 | |
| | 1660 | Email from Mike Cohen | | | (S&A) ER | |
| | | to Tracy Medina Read: Changes to your | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| | | Benefits/Credit Cards | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER 402, 403, | |
| | 1661 | Email from Mike Cohen | | | 901, 902 | |
| | | to Loren Cohen Fwd: Changes to your | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Benefits/Credit Cards | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| | 1662 | to Amara Foster Fwd: | (CV) Dit- 1 | (CV) D: | 901, 902 | |
| | | Payroll Modification/Approval | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Deadline | Disputed | Disputed | 901, 902 | |
| | 1663 | Email from Mike Cohen to Yuchun Santory | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (CV) ER 402, 403, | |
| | | Accepted: GO TO | Disputed | Disputed | 901, 902 | |

| | | DEFENDANT'S EXHIBITS | | | | |
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| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| $\ \ $ | | MEETING INVITE - | | | (S&A) ER | |
| | | ASSEMBLY RM | | | 402, 403, | |
| ┞ | | | | | 901, 902 | |
| | | Essail Com Miles Caless | | | (CV) ER | |
| | | Email from Mike Cohen to Yuchun Santory, | | | 402, 403, 801, 802 | |
| | | Roger Frederick, Hayley | | | 901, 902 | |
| | 1664 | Cole, Bill Felker, Loren | | | (S&A) ER | |
| | | Cohen building 7 | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | | assembly room fire | (S&A) | (S&A) | 801, 802 | |
| | | rating options | Disputed | Disputed | 901, 902 | |
| | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| | 1665 | to Tracy Medina RE: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Refund check for Linnea | (S&A) | (S&A) | 402, 403, | |
| | | McIntosh | Disputed | Disputed | 901, 902 | |
| | | Email from Mike Cohen | | | (CV) ER | |
| | | to Tracy Medina, Loren | | | 402, 403, | |
| | 1666 | Cohen, Russ Wickett RE: McIntosh Refund of | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | Credit Balance on | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | | Account | Disputed | Disputed | 901, 902 | |
| r | | | | | (CV) ER | |
| | | | | | 402, 403, | |
| | | | | | 801, 802, | |
| | 1667 | E TO MT OI | | | 901, 902 | |
| | | Email from Mike Cohen to Tracy Medina Read: | (CV) Disputed | (CV) Disputed | (S&A) ER 402, 403, | |
| | | Bonus Holidays for this | (CV) Disputed | (CV) Disputed | 801, 802, | |
| | | December??? | Disputed | Disputed | 901, 902 | |
| r | | - | | | (CV) ER | |
| | | | | | 402, 403, | |
| | 1668 | Email from Mike Cohen | (011) - | (077) 51 | 901, 902 | |
| | | to tracy Medina, Hayley | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | Cole RE: Refund check for Linnea McIntosh | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| - | | Email from Mike Cohen | Disputed | Disputed | (CV) ER | |
| | 1660 | to Jim Scherbinske, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | 1669 | Loren Cohen RE: | (S&A) | (S&A) | 901, 902 | |
| L | | Monthly Cash | Disputed | Disputed | (S&A) ER | |

| | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | Disbursement Comparison | | | 402, 403, 901, 902 | |
| 1670 | Email from Mike Cohen to Loren Cohen Accepted: 3:00 PM Call: Loren, Mike & Hayley re: Retail Leasing Reports (attached) | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 1671 | Email from Mike Cohen to Michael Foley Re: Asian Fusion LOI needs response from us! | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 (S&A) ER 402, 403, 801, 802, 901, 902 | |
| 1672 | Email from Mike Cohen to MDF Group Re: Asian Fusion LOI needs response from us! | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 (S&A) ER 402, 403, 801, 802, 901, 902 | |
| 1673 | Email from Mike Cohen to Loren Cohen Accepted: 2:00 PM Call: Loren, Mike, Hayley & Yuchun re: Public Market (Detail Below) | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 1674 | Email from Mike Cohen to Loren Cohen Accepted: 2:15 PM Call: Loren, Mike, Hayley & Yuchun re: Public Market (Detail Below) | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 901, 902 (S&A) ER 402, 403, 901, 902 | |
| 1675 | Email from Mike Cohen to Amanda Johnson, Hayley Cole RE: Unit 411 - Sawyer | (CV) Disputed (S&A) Disputed | (CV) Disputed (S&A) Disputed | (CV) ER 402, 403, 801, 802, 901, 902 | |

| L | DEFENDANT'S EXHIBITS | | | | |
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| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (S&A) ER | |
| | | | | 402, 403, 801, 802, | |
| | | | | 901, 902, | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, | |
| 1676 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| | to Amanda Johnson, | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Hayley Cole RE: Unit | (S&A) | (S&A) | 801, 802, | |
| | 411 - Sawyer | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 1677 | to Loren cohen, Jim | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Scherbinske Fwd: | (S&A) | (S&A) | 402, 403, | |
| | Grocery | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER | |
| | | | | 402, 403, | |
| | | | | 801, 802, 901, 902 | |
| 1678 | Email from Mike Cohen | | | (S&A) ER | |
| | to Brian Williams Re: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Proof - Shopping Local | (S&A) | (S&A) | 801, 802, | |
| | on the Waterfront! | Disputed | Disputed | 901, 902 | |
| | | | | (CV) ER 402, 403, | |
| | | | | 801, 802, | |
| 1670 | | | | 901, 902 | |
| 1679 | Email from Mike Cohen | | | (S&A) ER | |
| | to Jenna Deal Read: | (CV) Disputed | (CV) Disputed | 402, 403, | |
| | Building 17 Silver Cloud | (S&A) | (S&A) | 801, 802, | |
| | Cloud | Disputed | Disputed | 901, 902 (CV) ER | |
| | Email from Mike Cohen | | | 402, 403, | |
| 1680 | to Loren Cohen, Jim | | | 901, 902 | |
| 1000 | Scherbinske Fwd: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | Building 17 Silver Cloud | (S&A) | (S&A) | 402, 403, 901, 902 | |
| | Cloud | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
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| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1681 | Email from Mike Cohen | | | 901, 902 | |
| | 1001 | to Stacy Carkonen, | (CIV) D: 1 | (CI) D: 1 | (S&A) ER | |
| 6 | | Hayley Cole RE: Updated number for | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | Munch Munch Waffles | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER | |
| | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 9 | 1682 | to Loren Cohen RE: | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 10 | | Best deal at Point | (S&A) | (S&A) | 402, 403, | |
| 11 | | Ruston! Email from Mike Cohen | Disputed | Disputed | 901, 902 (CV) ER | |
| | | to John Patterson, | | | 402, 403, | |
| 12 | 1683 | Kareen Seerley, Jenna | | | 901, 902 | |
| 13 | 1000 | Deal, Jim Scherbinkse, Loren Cohen RE: | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 14 | | Grocery | Disputed | Disputed | 901, 902 | |
| 1.5 | | • | • | • | (CV) ER | |
| 15 | | Email from Mike Cohen | | | 402, 403, 901, 902 | |
| 16 | 1684 | to Cecile Landcaster, | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 17 | | Amara Foster FW: 1 and | (S&A) | (S&A) | 402, 403, | |
| 18 | | 3 packet pick up | Disputed | Disputed | 901, 902 | |
| 10 | | Email from Mike Cohen | | | (CV) ER 402, 403, | |
| 19 | 1685 | to Yuchun Santory, | | | 901, 902 | |
| 20 | 1003 | Hayley Coie, Loren | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 21 | | Cohen RE: Update on King's, Pike Nuts TI | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| | | Email from Mike Cohen | • | • | | |
| 22 | | to Yuchun Santory, Loren Cohen, Jim | | | (CV) ER 402, 403, | |
| 23 | 1686 | Scherbinske RE: | | | 901, 902 | |
| 24 | | Outstanding Balances - | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| | | PT RUSTON misc | (S&A) | (S&A) | 402, 403, | |
| 25 | | projects | Disputed | Disputed | 901, 902 | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|--|--------------------------|--------------------------|------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (CV) ER | |
| 4 | | | | | 402, 403, 801, 802, | |
| 5 | 1687 | Email from Mike Cohen | | | 901, 902 (S&A) ER | |
| 6 | | to Deirdre Kurian FW: FERRELLGAS AUTO | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 7 | | PAY FORM | Disputed | Disputed | 901, 902 | |
| 8 | | | | | (CV) ER 402, 403, | |
| 9 | | Email from Mike Cohen to Cinthia Aguilar of | | | 801, 802, 901, 902 | |
| 10 | 1688 | Novamar, Deirdre | (CV) D:t1 | (CV) Disserts 1 | (S&A) ER | |
| 11 | | Kurian RE: Michael Cohen - Auto Policy No. | (CV) Disputed (S&A) | (CV) Disputed (S&A) | 402, 403, 801, 802, | |
| 12 | | 2853759 - Renewal | Disputed | Disputed | 901, 902 | |
| 13 | | Email from Mike Cohen to Kareen Seerley, Jim | | | (CV) ER 402, 403, | |
| 14 | 1689 | Scherbinske, Loren Cohen, Yachun Santory | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 15 | | RE: Statement / Past due invoices | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 16 | | mvoices | Disputed | Disputed | (CV) ER | |
| 10 | | | | | 402, 403, | |
| 17 | 1690 | Email from Mike Cohen | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 18 | | to Jim Scherbinske FW: | (S&A) | (S&A) | 402, 403, | |
| 19 | | Grocery | Disputed | Disputed | 901, 902 (CV) ER | |
| 20 | | F 76 M7 61 | | | 402, 403, | |
| 21 | 1691 | Email from Mike Cohen to Loren Cohen Re: loan | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 22 | | secured on Hawthorne property | (S&A) Disputed | (S&A) Disputed | 402, 403, 901, 902 | |
| 23 | | | | | (CV) ER | |
| 24 | 1,602 | | | | 402, 403, 901, 902 | |
| 25 | 1692 | Email from Mike Cohen to Loren Cohen Re: Unit | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| 23 | | 306- Lease Termination | Disputed | Disputed | 901, 902 | |
| 26 | | | • | • | | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|-------------------------|------------------------|---|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | (CV) ER 402, 403, | |
| 1693 | Email from Mike Cohen | (OID D: 1 | (CID D: 1 | 901, 902 | |
| | to Joi Brunette Read: RE: PAST DUE | (CV) Disputed (S&A) | (CV) Disputed (S&A) | (S&A) ER 402, 403, | |
| | ACCOUNT | Disputed | Disputed | 901, 902 | |
| | Limited Liability | | | | |
| 1694 | Company Agreement of | | | | |
| | Point Ruston LLC, dated 06/22/2006 | CV Stipulated | CV Stipulated | | |
| | Michael Cohen | C v Supulated | C v Stipulated | | |
| 1695 | Statement of Personal | | | | |
| 1093 | Net Worth, dated | | | | |
| | 12/31/2015 Michael Cohen | CV Stipulated | CV Stipulated | | |
| | Statement of Personal | | | | |
| 1696 | Net Worth, dated | | | | |
| | 12/31/2015 | CV Stipulated | CV Stipulated | | |
| | Agreement for the | | | | |
| 1697 | Assignment and Assuption of | | | | |
| 1077 | Management Fee, dated | | | | |
| | 11/01/2016 | CV Stipulated | CV Stipulated | | |
| | Michael Cohen | | | | |
| 1698 | Statement of Personal Net Worth, dated | | | | |
| | 12/31/2017 | CV Stipulated | CV Stipulated | | |
| 1,000 | Hospital recording re | | | CV: ER 402, 403, 611, 801, 802, 901, | |
| 1699 | Mexico | CV Disputed | CV Disputed | 902, DMS; Rule 37(c)(1) | |
| | | 1 | , | CV: ER 402, 403, 611, 801, 802, 901, | |
| 1700 | Hospital recording re retirement account | CV Disputed | CV Disputed | 902, DMS; Rule | |
| | | C v Disputed | C v Disputed | 37(c)(1) CV: ER 402, 403, | |
| 1701 | Hospital recording re | CV Disputs 1 | CV Dismote 1 | 611, 801, 802, 901, 902, DMS; Rule | |
| | CWS Hospital recording re life | CV Disputed | CV Disputed | 37(c)(1) | |
| 1702 | insurance, CWS, | | | CV: ER 402, 403, 611, 801, 802, 901, | |
| | Mexico, 1.25M | CV Disputed | CV Disputed | 902, DMS; Rule 37(c)(1) | |
| 1703 | Hospital recording re | | | CV: ER 402, 403, 611, 801, 802, 901, | |
| 1/03 | health insurance | CV Disputed | CV Disputed | 902, DMS; Rule 37(c)(1) | |

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----------|-------|---|---------------------|-------------------------------|----------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | People's Bank Judgment, Western District of | | | | |
| 4 | 1704 | Washington Case No. 3:21-cv-5882-RJB, | | | | |
| 5 | | dated 02/02/2023 | CV Stipulated | CV Stipulated | | |
| 6 | | Order on Plaintiff's Motion for Summary | | | | |
| 7 8 | 1705 | Judgment in People's Bank v YCT DAME DE | | | | |
| 9 | | LA MER, Western District of Washington | | | | |
| 10 | | Case No. 3:21-cv-5882- RJB, dated 02/02/2023 | CV Stipulated | CV Stipulated | | |
| 11 | 1706 | Excise Tax Affidavit, dated 10/15/2020 | CV Stipulated | CV Stipulated | | |
| 12 | 1707 | | | (S&A) Stipulated | | |
| 13 | 1707 | First Amended 2020 Transfer Agreement | | (CV) Stipulated | | |
| 14 | 1700 | | | (S&A) Stipulated | | |
| 15 | 1708 | Charging Order 10.5.18 | | (CV) Stipulated | | |
| 16 | | | | (S&A) Stipulated | | |
| 17 18 | 1709 | CR2A Agreement 2.6.19 | | (CV) Stipulated | | |
| 19 | | CREAT rigiteement 2.0.17 | | (S&A) Stipulated | | |
| 20 | 1710 | Assignment of Judgments 4.12.19 | | (CV) | | |
| 21 | | | | Stipulated | (S&A) ER | |
| 22 | | Findings of Fact and Conclusions of Law for | | | 402, 403, 611, 801, | |
| 23 | 1711 | Serpanok's Motion for Attorney's Fees and | (S&A) Stipulated | (S&A) | 802 (CV) ER 402, 403, | |
| 24 | | Costs Related to Garage Foreclosure 7.24.20 | (CV) Stipulated | Disputed (CV) Disputed | 611, 801, 802 | |
| 25 | 1712 | | | (S&A) | (S&A) ER | |
| 26 | 1/12 | Order Confirming Sale of Garage 7.24.20 | (S&A) Stipulated | Disputed (CV) Disputed | 402, 403, 611 (CV) | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|---|---|---|--|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | (CV) Stipulated | | ER 402, 403, 611 | |
| 1713 | Declaration of Michael A. Cohen 10.26.20 | | (S&A) Stipulated (CV) Stipulated | | |
| 1714 | Settlement Agreement 5.21.21 | (S&A) Stipulated (CV) Stipulated | (S&A) Disputed (CV) Disputed | (S&A) ER 402, 403, 611 (CV) ER 402, 403, 611 | |
| 1715 | Stipulation and Order for Dismissal 5.24.21 | (S&A) Stipulated (CV) Stipulated | (S&A) Disputed (CV) Disputed | (S&A) ER 402, 403, 611 (CV) ER 402, 403, 611 | |
| 1716 | Stipulated Judgment for Breach of Fiduciary Duty Claim 5.24.21 | (S&A) Stipulated (CV) Stipulated | (S&A) Disputed (CV) Disputed | (S&A) ER 402, 403, 611 (CV) ER 402, 403, 611 | |
| 1717 | Order and Findings of Fact and Conclusions of Law on Motion for Determination that Stipulated Judgment is Fair and Reasonable 6.11.21 | | (S&A) Stipulated (CV) Stipulated | | |
| 1718 | Judgment 10.8.21 | (S&A) Stipulated (CV) Stipulated | (S&A) Disputed (CV) Disputed | (S&A) ER 402, 403 (CV) ER 402, 403 | |
| 1719 | Judgment 3.29.24 | (S&A) Stipulated (CV) Stipulated | (S&A) Disputed (CV) Disputed | (S&A) ER 402, 403 (CV) ER 402, 403 | |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|-------|---|---------------------|-----------------------------|----------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (S&A) ER | |
| 4 | | | | | 402, 403, 611, 801, | |
| 5 | 1720 | | (S&A) | | 802 (CV) | |
| | | Findings of Fact | Stipulated | (S&A) | ER 402, 403, | |
| 6 | | Conclusions of Law 3.29.24 | (CV) Stipulated | Disputed (CV) Disputed | 611, 801, 802 | |
| 7 | | | Supulation | (0.1)215parea | (S&A) ER | |
| 8 | 1701 | | (S&A) | (C.O.A.) | 402, 403, | |
| | 1721 | Order Confirming | Stipulated (CV) | (S&A) Disputed | 611 (CV) ER 402, 403, | |
| 9 | | Sheriff's Sale 8.23.24 | Stipulated | (CV) Disputed | 611 | |
| 10 | | | (S&A) | (C 0 A) | (S&A) ER | |
| 11 | 1722 | | Stipulated (CV) | (S&A) Disputed | 402, 403 (CV) ER | |
| 12 | | Newcomer Docket | Stipulated | (CV) Disputed | 402, 403 | |
| | | | (S&A) | (C.O.A.) | (S&A) ER | |
| 13 | 1723 | | Stipulated (CV) | (S&A) Disputed | 402, 403 (CV) ER | |
| 14 | | Point Ruston Docket | Stipulated | (CV) Disputed | 402, 403 | |
| 15 | | Dealerstier of W. Com- | | (S&A) | | |
| | 1724 | Declaration of W. Cary Deaton, MBA, CPA, | | Stipulated (CV) | | |
| 16 | | ABV, CVA 1.6.16 | | Stipulated | | |
| 17 | | Eindinge of East and | | (S&A) | | |
| 18 | 1725 | Findings of Fact and Conclusions of Law | | Stipulated (CV) | | |
| 10 | | Amended 12.9.22 | | Stipulated | | |
| 19 | | Eindings of East and | | (S&A) | | |
| 20 | 1726 | Findings of Fact and Conclusions of Law | | Stipulated (CV) | | |
| 21 | | Supplemental 1.27.23 | | Stipulated | | |
| 22 | | | | (S&A) | | |
| | 1727 | | | Stipulated (CV) | | |
| 23 | | Judgment 1.6.23 | | Stipulated | | |
| 24 | | | (S & A) | | (S&A) ER | |
| 25 | 1728 | Li Declaration ISO | (S&A) Stipulated | (S&A) | 402, 403, 611, 801, | |
| | | Motion for Preliminary | (CV) | Disputed | 802 (CV) | |
| 26 | | Injunction 9.15.20 | Stipulated | (CV) Disputed | ER 402, 403, | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--|-------------------------------|-----------------------------|---|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | | 611, 801, 802 | |
| | | | | | |
| | | | | (S&A) ER | |
| 1729 | Order for Preliminary | (S&A) Stipulated (CV) | (S&A) Disputed | 402, 403, 611 (CV) ER 402, 403, | |
| | Injunction 9.25.20 | Stipulated | (CV) Disputed | 611 | |
| | | (S&A) | | (S&A) ER 402, 403, | |
| 1730 | Order Granting Motion to Transfer Property 11.1.24 | Stipulated (CV) | (S&A) Disputed | 611 (CV) ER 402, 403, 611 | |
| | 11.1.24 | Stipulated | (CV) Disputed | (S&A) ER | |
| 1731 | Receiver's Motion for | (S&A) Stipulated | (S&A) | 402, 403, 611 (CV) | |
| | Order Auth. Termination 8.15.24 | (CV) Stipulated | Disputed (CV) Disputed | ER 402, 403, 611 | |
| | | (S&A) | (= :) = ::• | (S&A) ER 402, 403, | |
| 1732 | Supplement to Receiver's Motion | Stipulated (CV) | (S&A) Disputed | 611 (CV) ER 402, 403, | |
| | 8.28.24 | Stipulated | (CV) Disputed | 611 | |
| | | (S&A) | 45.5.1 | (S&A) ER 402, 403, | |
| 1733 | Assignment of Deed of Trust 202410300269 | Stipulated (CV) | (S&A) Disputed | 611 (CV) ER 402, 403, 611 | |
| | 11ust 202410300209 | Stipulated | (CV) Disputed | (S&A) ER | |
| 1734 | | (S&A) Stipulated | (S&A) | 402, 403, 611 (CV) | |
| | Assignment of Deed of Trust 202407190223 | (CV) Stipulated | Disputed (CV) Disputed | ER 402, 403, | |
| | 11601 20210 (17022) | • | (CV) Disputed | (S&A) ER | |
| 1735 | | (S&A) Stipulated | (S&A) | 402, 403, 611 (CV) | |
| | Assignment of Deed of Trust 202410300169 | (CV) Stipulated | Disputed (CV) Disputed | ER 402, 403, 611 | |

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| | DEFENDANT'S EXHIBITS | | | | |
|----------|---------------------------------|-----------------------------|-----------------------------|-------------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | (0.0.4) | | (S&A) ER | |
| 1736 | Notice of Foreclosure | (S&A) Stipulated | (S&A) | 402, 403, 611 (CV) | |
| 1/30 | 4.26.24 – Point Ruston | (CV) | Disputed | ER 402, 403, | |
| | Building 7 | Stipulated | (CV) Disputed | 611 | |
| | | | | (S&A) ER | |
| 1.70.7 | Notice of Foreclosure | (S&A) | (0.0.4) | 402, 403, | |
| 1737 | 10.18.24 - 202407150426 – PR | Stipulated | (S&A) | 611 (CV) | |
| | Main Street Retail | (CV) Stipulated | Disputed (CV) Disputed | ER 402, 403, 611 | |
| | THAIR SHOOT ROUTE | Supulated | (C) Disputed | (S&A) ER | |
| | Notice of Foreclosure | (S&A) | | 402, 403, | |
| 1738 | 10.18.24 - | Stipulated | (S&A) | 611 (CV) | |
| | 202407170298 – PR | (CV) | Disputed | ER 402, 403, | |
| | Main Street Retail | Stipulated | (CV) Disputed | 611 | |
| | | | (S&A) Stipulated | | |
| 1739 | 2018 M&J Real Estate | | (CV) | | |
| | Investment Tax Return | | Stipulated | | |
| | | | (S&A) | | |
| 1740 | | | Stipulated | | |
| | 2019 M&J Real Estate | | (CV) | | |
| | Investment Tax Return | + | Stipulated | (S&A) ER | |
| | 2015 MC Real Estate | (S&A) | (S&A) | 901, 902 | |
| 1741 | Consultants Profit or | Disputed | Disputed | (CV) ER | |
| | Loss | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | (5.5.1) | (5.5.1) | (S&A) ER | |
| 1742 | | (S&A) | (S&A) | 901, 902 | |
| | 2014 MC Ruston K-1 | Disputed (CV) Disputed | Disputed (CV) Disputed | (CV) ER 901, 902 | |
| | 2014 MC Rusion K-1 | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 17.40 | | (S&A) | (S&A) | 901, 902 | |
| 1743 | | Disputed | Disputed | (CV) ER | |
| | 2015 MC Ruston K-1 | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | (0.0.4) | (C, 0, A) | (S&A) ER | |
| 1744 | | (S&A) | (S&A) | 901, 902 (CV) EP | |
| | 2016 MC Ruston K-1 | Disputed (CV) Disputed | Disputed (CV) Disputed | (CV) ER 901, 902 | |
| | 2010 110 10000111 1 | (C) Disputed | (C) Disputed | 701, 702 | |

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| | DEFENDANT'S EXHIBITS | | | | |
|-------|---|--------------------------------------|--------------------------------------|---|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 1745 | 2017 MC Ruston K-1 | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1746 | 2018 MC Ruston K-1 | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1747 | 2019 MC Ruston K-1 | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1748 | 2020 MC Ruston K-1 | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1749 | 2015 Rainier Property Services Profit or Loss | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1750 | 2015 BR Real Estate Investment Profit or Loss | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1751 | 2014 C&M Construction Management Profit or Loss | CV Disputed | CV Disputed | CV ER 901, 902 | |
| 1752 | 2015 C&M Construction Management Profit or Loss | CV Disputed | CV Disputed | CV ER 901, 902 | |
| 1753 | 2016 C&M Construction Management Profit or Loss | CV Disputed | CV Disputed | CV ER 901, 902 | |
| 1754 | 2017 C&M Construction Management Profit or Loss | CV Disputed | CV Disputed | CV ER 901, 902 | |
| 1755 | 2018 C&M Construction Management Profit or Loss | CV Disputed | CV Disputed | CV ER 901, 902 | |

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| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|--------------|----------------------------------|--------------------------------|--------------------------------|-----------------------------------|----------|
| 2 | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | 2019 C&M Construction | | | | |
| 4 | 1756 | Management Profit or Loss | CV Disputed | CV Disputed | CV ER 901, 902 | |
| 5 | | | (S&A) | (S&A) | (S&A) ER 901, 902 | |
| 6 | 1757 | 2014 MCCCI Tax Return | Disputed (CV) Disputed | Disputed (CV) Disputed | (CV) ER 901, 902 | |
| 7 | | Return | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 8 | 1758 | 2015 MCCCI Tax | (S&A) Disputed | (S&A) Disputed | 901, 902 (CV) ER | |
| 9 | | Return | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 10 | 1759 | 2016 MCCCI Tax | (S&A) Disputed | (S&A) Disputed | (S&A) ER 901, 902 (CV) ER | |
| 11 | | Return | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 12 | | | (S&A) | (S&A) | (S&A) ER 901, 902 | |
| 13 | 1760 | 2017 MCCCI Tax Return | Disputed (CV) Disputed | Disputed (CV) Disputed | (CV) ER 901, 902 | |
| 14 | | | | | (S&A) ER | |
| 15 | 1761 | 2018 MCCCI Tax Return | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | 901, 902 (CV) ER 901, 902 | |
| 16 | | | | - | (S&A) ER | |
| 17 | 1762 | 2019 MCCCI Tax | (S&A) Disputed | (S&A) Disputed | 901, 902 (CV) ER | |
| 18 | | Return | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 19 | 1763 | | (S&A) | (S&A) | (S&A) ER 901, 902 | |
| 20 | 1703 | 2020 MCCCI Tax Return | Disputed (CV) Disputed | Disputed (CV) Disputed | (CV) ER 901, 902 | |
| 21 | | | | | (S&A) ER | |
| 22 | 1764 | 2016 Loren Cohen K-1 | (S&A) Disputed | (S&A) Disputed | 901, 902 (CV) ER | |
| 23 | | from M&J | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 24 | 1765 | 20171 C.1 | (S&A) | (S&A) | (S&A) ER 901, 902 | |
| 25 | | 2017 Loren Cohen K-1 from M&J | Disputed (CV) Disputed | Disputed (CV) Disputed | (CV) ER 901, 902 | |

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| | DEFENDANT'S EXHIBITS | | | | |
|----------|----------------------------|-----------------------------|-------------------|---------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | (| | (S&A) ER | |
| 1766 | | (S&A) | (S&A) | 901, 902 | |
| | 2018 Loren Cohen K-1 | Disputed | Disputed | (CV) ER | |
| | from M&J | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | (C.O. A.) | (C 0 A) | (S&A) ER | |
| 1767 | 2010 I C-h I/ 1 | (S&A) | (S&A) | 901, 902 | |
| | 2019 Loren Cohen K-1 | Disputed | Disputed | (CV) ER | |
| | from M&J | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | (C P- A) | (C 0- A) | (S&A) ER | |
| 1768 | 2020 Loren Cohen K-1 | (S&A) | (S&A) Disputed | 901, 902 | |
| | from M&J | Disputed (CV) Disputed | (CV) Disputed | (CV) ER 901, 902 | |
| | 2014 Hawthorne Hill | (CV) Disputed | (CV) Disputed | CV ER 901, | |
| 1769 | Two Tax Return | CV Disputed | CV Disputed | 902 | |
| | 2015 Hawthorne Hill | C v Disputed | C v Disputed | CV ER 901, | |
| 1770 | Two Tax Return | CV Disputed | CV Disputed | 902 | |
| | 2016 Hawthorne Hill | C v Disputed | C v Disputed | CV ER 901, | |
| 1771 | Two Tax Return | CV Disputed | CV Disputed | 902 | |
| | 2017 Hawthorne Hill | C v Disputed | C v Disputed | CV ER 901, | |
| 1772 | Two Tax Return | CV Disputed | CV Disputed | 902 | |
| | 2018 Hawthorne Hill | C v Disputed | C v Disputed | CV ER 901, | |
| 1773 | Two Tax Return | CV Disputed | CV Disputed | 902 | |
| | 2019 Hawthorne Hill | C / Disputed | C v Bisparea | CV ER 901, | |
| 1774 | Two Tax Return | CV Disputed | CV Disputed | 902 | |
| | 2020 Hawthorne Hill | C v Bispated | C v Bispated | CV ER 901, | |
| 1775 | Two Tax Return | CV Disputed | CV Disputed | 902 | |
| | 2110 21112 21010212 | o . Disputo | o . Bispaica | (S&A) ER | |
| | | (S&A) | | 402, 403, | |
| 1776 | | Stipulated | (S&A) | 611 (CV) | |
| | Court's Instruction to the | (CV) | Disputed | ER 402, 403, | |
| | Jury 9.21.15 | Stipulated | (CV) Disputed | 611 | |
| | - | • | (S&A) | | |
| 1777 | | | Stipulated | | |
| 1777 | 2014 Blueberry Farms | | (CV) | | |
| | Tax Return | | Stipulated | | |
| 1778 | | | (S&A) | | |
| | | | Stipulated | | |
| 1//0 | 2015 Blueberry Farms | | (CV) | | |
| | Tax Return | | Stipulated | | |
| 1779 | 2016 Blueberry Farms | | (S&A) | | |
| 1//9 | Tax Return | | Stipulated | | |

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| | DEFENDANT'S EXHIBITS | | | | |
|----------|---------------------------------------|--------------|---------------------|-----------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | (CV) Stipulated | | |
| | | | (S&A) | | |
| 1780 | 2017 Blueberry Farms | | Stipulated (CV) | | |
| | Tax Return | | Stipulated | | |
| 1701 | | | (S&A) Stipulated | | |
| 1781 | 2018 Blueberry Farms Tax Return | | (CV) Stipulated | | |
| | Tux return | | (S&A) | | |
| 1782 | 2019 Blueberry Farms | | Stipulated (CV) | | |
| | Tax Return | | Stipulated (S&A) | | |
| 1783 | 2020 Blueberry Farms | | Stipulated (CV) | | |
| | Tax Return | | Stipulated | | |
| 1784 | | | (S&A) Stipulated | | |
| 1764 | 2014 Blueberry Farms II Tax Return | | (CV) Stipulated | | |
| | | | (S&A) Stipulated | | |
| 1785 | 2015 Blueberry Farms II Tax Return | | (CV) Stipulated | | |
| | Turreturr | | (S&A) Stipulated | | |
| 1786 | 2016 Blueberry Farms II | | (CV) | | |
| | Tax Return | | Stipulated (S&A) | | |
| 1787 | 2017 DL 1 5 5 | | Stipulated | | |
| | 2017 Blueberry Farms II Tax Return | | (CV) Stipulated | | |
| | | | (S&A) Stipulated | | |
| 1788 | 2018 Blueberry Farms II | | (CV) | | |
| 1789 | Tax Return 2019 Blueberry Farms II | | Stipulated (S&A) | | |
| | Tax Return | | Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|--------------|---------------------|-------------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | (CV) Stipulated | | |
| 1790 | | | (S&A) Stipulated | | |
| 1790 | 2020 Blueberry Farms II Tax Return | | (CV) Stipulated | | |
| 1791 | Limited Liability Company Agreement of | | (S&A) Stipulated | | |
| 1/91 | PC Collections, LLC 1.14.19 | | (CV) Stipulated | | |
| 1500 | | | (S&A) Stipulated | | |
| 1792 | Certificate of Formation 1.16.19 | | (CV) Stipulated | | |
| 4.500 | Application for Employer Identification | | (S&A) Stipulated | | |
| 1793 | No. IRS Form SS-4 2.27.19 | | (CV) Stipulated | | |
| | | | (S&A) Stipulated | | |
| 1794 | Letter Assigning EIN to PC Collections 2.28.19 | | (CV) Stipulated | | |
| 1505 | | | (S&A) Stipulated | | |
| 1795 | Certificate of Finality 3.4.19 | | (CV) Stipulated | | |
| 1706 | | | (S&A) Stipulated | | |
| 1796 | Mandate 3.4.19 | | (CV) Stipulated | | |
| | Motion to Enforce CP | | (S&A) Stipulated | | |
| 1797 | 2A Agreement and Dismiss Claims 3-8-19 | | (CV) Stipulated | | |
| 1798 | | | (S&A) Stipulated | CV ER 901, | |
| 1,70 | or Loss | CV Disputed | CV Disputed | 902 | |
| 1799 | 2017 Delta Dawn Profit or Loss | CV Disputed | (S&A) Stipulated | CV ER 901, 902 | |
| | | | | | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|-------------------------|---------------|-----------------------|------------|----------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | | | (S&A) | | |
| 1800 | | | Stipulated | | |
| | Mandate 8.15.19 | | (CV) Stipulated | | |
| | Ivialidate 6.13.19 | | (S&A) | | |
| 1801 | 2018 Delta Dawn Profit | | Stipulated | CV ER 901, | |
| 1001 | or Loss | CV Disputed | CV Disputed | 902 | |
| | | • | (S&A) | | |
| 1802 | 2019 Delta Dawn Profit | | Stipulated | CV ER 901, | |
| | or Loss | CV Disputed | CV Disputed | 902 | |
| | | | (S&A) | | |
| 1803 | 2020 Delta Dawn Profit | | Stipulated | CV ER 901, | |
| | or Loss | CV Disputed | CV Disputed | 902 | |
| 1004 | 2014777 0 346 | | (S&A) | GVIED 001 | |
| 1804 | 2014 KT & MC | CV Dit1 | Stipulated | CV ER 901, | |
| | Developing Tax Return | CV Disputed | CV Disputed | 902 | |
| 1805 | 2015 KT & MC | | (S&A) Stipulated | CV ER 901, | |
| | Developing Tax Return | CV Disputed | CV Disputed | 902 | |
| | Developing Tax Return | C v Disputed | (S&A) | 702 | |
| 1806 | 2016 KT & MC | | Stipulated | CV ER 901, | |
| | Developing Tax Return | CV Disputed | CV Disputed | 902 | |
| | | • | (S&A) | | |
| 1807 | 2017 KT & MC | | Stipulated | CV ER 901, | |
| | Developing Tax Return | CV Disputed | CV Disputed | 902 | |
| | | | (S&A) | | |
| 1808 | 2018 KT & MC | | Stipulated | CV ER 901, | |
| | Developing Tax Return | CV Disputed | CV Disputed | 902 | |
| 1000 | 2010 ET 9 MC | | (S&A) | CVED 001 | |
| 1809 | 2019 KT & MC | CV Dismutad | Stipulated | CV ER 901, | |
| | Developing Tax Return | CV Disputed | CV Disputed (S&A) | 902 | |
| 1810 | 2020 KT & MC | | (S&A) Stipulated | CV ER 901, | |
| 1010 | Developing Tax Return | CV Disputed | CV Disputed | 902 | |
| | z troiping run retuin | 5. Disputed | (S&A) | | |
| 1011 | | | Stipulated | | |
| 1811 | | | (CV) | | |
| | 2019 M&J Form 1065 | | Stipulated | | |
| | | (S&A) | (S&A) | | |
| 1812 | 3 M&C Developing, | Disputed | Disputed | (S&A) ER | |
| | LLC Financials | (CV) Disputed | (CV) Disputed | 901, 902 | |

| | DEFENDANT'S EXHIBITS | | | | |
|----------|--|--------------------------------------|---|---|-------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admit |
| | | | | (CV) ER 901, 902 | |
| 1813 | Amended Order of Sale of Real Property 11.16.21 | | (S&A) Stipulated (CV) Stipulated | | |
| 1814 | Blueberry Farms, LLC Financials | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1815 | BR Real Estate Investment, LLC Financials | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1816 | C&M Construction Management Financials | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) EE ER 901, 902 (CV) EE ER 901, 902 | |
| 1817 | Sheriff's Return on Writ of Execution Real Property 1.20.22 | | (S&A) Stipulated (CV) Stipulated | | |
| 1818 | Delta Dawn Developing, LLC Financials | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |
| 1819 | Report of Successor Personal Representative and Petition for Instructions 4.22.22 | | (S&A) Stipulated (CV) Stipulated | | |
| 1820 | Hawthorne Hill Two Financials | (S&A) Disputed (CV) Disputed | (S&A) Disputed (CV) Disputed | (S&A) ER 901, 902 (CV) ER 901, 902 | |

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THOMPSON HOWLE VAUGHN

| 1 | | DEFENDANT'S EXHIBITS | | | | |
|----|------|--|--------------------------|-----------------------------|--------------------------|----------|
| 2 | Ex. | Description | Authenticity | Admissibility | Objection | Admitted |
| 3 | | | | | (S&A) | |
| 4 | | | | | Rooker- Feldman | |
| 5 | | | | | Doctrine; | |
| 6 | 1021 | | | | Full Faith and Credit | |
| | 1821 | PC Collections' | | | (CV) | |
| 7 | | Response to Report of Successor Personal | (S&A) | | Rooker- Feldman | |
| 8 | | Representative and | Stipulated | (S&A) | Doctrine; | |
| 9 | | Petition for Instructions 5.24.22 | (CV) Stipulated | Disputed (CV) Disputed | Full Faith and Credit | |
| 10 | | | | | (S&A) ER | |
| 11 | 1822 | KT&MC Developing, | (S&A) Disputed | (S&A) Disputed | 901, 902 (CV) ER | |
| 12 | | LLC Financials | (CV) Disputed | (CV) Disputed | 901, 902 | |
| | | | (S&A) | (S&A) | (S&A) ER 901, 902 | |
| 13 | 1823 | MC Ruston, LLC | Disputed | Disputed | (CV) ER | |
| 14 | | Financials | (CV) Disputed | (CV) Disputed | 901, 902 (S&A) ER | |
| 15 | 1824 | MC Construction | (S&A) | (S&A) | 901, 902 | |
| 16 | 1021 | Consultants, Inc. Financials | Disputed (CV) Disputed | Disputed (CV) Disputed | (CV) ER 901, 902 | |
| 17 | | 1 manciais | (CV) Disputed | (CV) Disputed | (S&A) ER | |
| 18 | 1825 | MC Real Estate | (S&A) Disputed | (S&A) Disputed | 901, 902 (CV) ER | |
| | | Consultants, LLC | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 19 | | | (S&A) | (S&A) | (S&A) ER 901, 902 | |
| 20 | 1826 | M&J Real Estate | Disputed | Disputed | (CV) ER | |
| 21 | | Investment, LLC | (CV) Disputed | (CV) Disputed | 901, 902 | |
| 22 | | | (S&A) | | (S&A) ER 402, 403, | |
| 23 | 1827 | Point Ruston Financial | Stipulated | (S&A) | 611 (CV) | |
| 24 | | Package provided to EPA | (CV) Stipulated | Disputed (CV) Disputed | ER 402, 403, 611 | |
| | | | _ | (S&A) | | |
| 25 | 1828 | Declaration of Jim | | Stipulated (CV) | | |
| 26 | | Scherbinske 8.15.22 | | Stipulated | | |

| | | DEFENDANT'S EXHIBITS | | | | |
|---|----------|--|---|---|--|----------|
| | Ex. # | Description | Authenticity | Admissibility | Objection | Admitted |
| | 1829 | Judgment on Verdict 10.9.15 | | (S&A) Stipulated (CV) Stipulated | | |
| | 1830 | | (S&A) Stipulated | (S&A) | (S&A) ER 402, 403, 611, 801, 802 (CV) ER 402, 403, | |
| | | Mandate 6.25.18 | (CV) Stipulated | Disputed (CV) Disputed | 611, 801, 802 | |
| | 1831 | | | (S&A) Stipulated (CV) | | |
| | 1832 | Judgment 7.20.18 Order Granting Motion to Confirm Sheriff's Foreclosure Sale of Real Property 7.29.22 | | Stipulated (S&A) Stipulated (CV) Stipulated | | |
| | 1833 | Order as to Successor Personal Representative's Request to Enjoin Confirmation of Sale 5.27.22 | | (S&A) Stipulated (CV) Stipulated | | |
| _ | 1834 | Order for the Appointment of a General Receiver (Century Condominiums, Point Ruston Phase II, Point Ruston Theatre, PR Building 11/9, PR Retail, The Shops at Point Ruston I, Point Ruston General Construction) 12.4.23 | (S&A) Stipulated (CV) Stipulated | (S&A) Disputed (CV) Disputed | (S&A) ER 402, 403, 611 (CV) ER 402, 403, 611 | |
| | 1835 | Annual Report of PC Collections, LLC 1.29.24 | | (S&A) Stipulated (CV) Stipulated | | |

| | DEFENDANT'S EXHIBITS | | | | |
|-------|--------------------------|---------------|---------------|--------------|--------|
| Ex. # | Description | Authenticity | Admissibility | Objection | Admitt |
| | | | | (S&A) ER | |
| | Order for the | (S&A) | | 402, 403, | |
| 183 | Appointment of a | Stipulated | (S&A) | 611 (CV) | |
| | General Receiver (Point | (CV) | Disputed | ER 402, 403, | |
| | Ruston) 9.23.24 | Stipulated | (CV) Disputed | 611 | |
| | | | | (S&A) | |
| | | | | Daubert; ER | |
| | | | | 701, 702, | |
| 183 | 7 | | | 704 (CV) | |
| | Expert Rebuttal Report | (S&A) | (S&A) | Daubert; ER | |
| | of Tom Bucknell | Disputed | Stipulated | 701, 702, | |
| | 11.22.24 | (CV) Disputed | (CV) Disputed | 704 | |
| | | | | (S&A) ER | _ |
| | United States' Letter in | (S&A) | | 402, 403, | |
| 183 | Support of Motion to | Stipulated | (S&A) | 611 (CV) | |
| | Remove Receiver | (CV) | Disputed | ER 402, 403, | |
| | 12.18.24 | Stipulated | (CV) Disputed | 611 | |

VIII. ACTION BY THE COURT

- A. This case is scheduled for a 10-day trial without a jury on April 21, 2025 at
- B. Trial briefs shall be submitted to the court on or before March 31, 2025.
- C. The Court has issued the following rulings in this case:

| DKT# | DATE | ORDER |
|------|------------|---|
| 5 | 12/18/2023 | Order Granting United States' Unopposed Motion for Extension of Time |
| 8 | 12/21/2023 | Minute Order Reassigning Case |
| 9 | 12/22/2023 | Order Regarding Initial Disclosures, Joint Status Report, Discovery, Depositions and Early Settlement |
| 16 | 03/22/2024 | Order Setting Bench Trial and Pretrial Dates |
| 51 | 07/02/2024 | Order Granting Loren Cohen's Motion to Amend Answer to Carol Vaughn's First Amended Complaint |
| 61 | 07/23/2024 | Order Granting Motion for Leave to Amend Answer, Defenses, Counterclaims, and Third-Party Claims to Newcomer Complaint |

THOMPSON HOWLE VAUGHN

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| DKT# | DATE | ORDER |
|------|------------|--|
| 72 | 09/25/2024 | Order Denying PC Collections' Motion for Partial Summary Judgment |
| 73 | 09/25/2024 | Order on Defendant Loren Cohen's Motion for Partial Judgment on the Pleadings |
| 74 | 09/25/2024 | Order Denying Loren Cohen's Motion for Partial Summary Judgment |
| 79 | 10/01/2024 | Order on Motion for Extension of Time |
| 81 | 10/11/2024 | Order Appointing Settlement Judge |
| 90 | 10/23/2024 | Minute Entry for Discovery Hearing |
| 91 | 10/24/2024 | Minute Order re: [90] Discovery Hearing |
| 94 | 10/29/2024 | Order on Discovery Hearing |
| 102 | 11/25/2024 | Order Granting in Part and Denying in Part Defendant Loren Cohen's Motion to Strike |
| 106 | 12/03/2024 | Order Denying Motion for Reconsideration |
| 112 | 12/09/2024 | Stipulated Protective Order |
| 113 | 12/10/2024 | Minute Entry for Discovery Hearing |
| 117 | 12/16/2024 | Minute Order |
| 120 | 12/20/2024 | Minute Order |
| 123 | 12/23/2024 | Notice of Filing of Official Transcript |
| 156 | 01/02/2025 | Order Denying Motion to Strike |
| 161 | 01/03/2025 | Minute Order |
| 171 | 01/08/2025 | Order on Stipulated Motion to File Confidential Documents Under Seal |
| 174A | 01/10/2025 | Calendar Notation |
| 175 | 01/10/2025 | Minute Order on Stipulated Motion to Seal |
| 176 | 01/13/2025 | Order Denying Motion to Continue Trial and Related Deadlines |
| 177 | 01/13/2025 | Order Denying Motion to Strike |
| 179 | 01/15/25 | Order Denying Motion to Strike |
| 183 | 01/23/2025 | Minute Order Directing US to Respond to Stipulated Motion |

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| DKT# | DATE | ORDER | |
|------|------------|---|--|
| 199 | 01/27/2025 | Minute Order Allowing Overlength Response | |
| 214 | 02/14/2025 | Minute Order RE In Camera Review of Settlement Agreement | |
| 215 | 02/24/2025 | Notice of Hearing | |
| 215A | 02/26/2025 | Notice of Docket Text Modification | |
| 227 | 03/14/2025 | [139] Motion to Strike Expert Jennifer Piel, M.D., and Denying | |
| | | [140] Motion to Strike Wendy Goffe JD | |
| 228 | 03/14/2025 | Stipulated Motion and Order Dismissing Claims With Prejudice | |
| 239 | 03/24/2025 | Order Denying Loren Cohen's Motion for Summary Judgment | |
| 240 | 03/26/25 | Order on Vaughn's Motion for Partial Summary Judgment [dismissing with prejudice breach of fiduciary duty claims against C.Vaughn; dismissing with prejudice PCC's claims for declaratory judgment arising from its creditor's claim; dismissing with prejudice L. Cohen's WSSA claim against the Estate; and denying summary judgment as to L. Cohen's equitable subrogation and indemnity defenses] | |
| 243 | 03/31/25 | Order Denying L. Cohen's Motion for Reconsideration | |

This order has been approved by the parties as evidenced by the signatures of their counsel. This order shall control the subsequent course of the action unless modified by a subsequent order. This order shall not be amended except by order of the Court pursuant to agreement of the parties or to prevent manifest injustice.

IT IS SO ORDERED

DATED this 10th day of April, 2025.

Hon. Tiffany M. Cartwright

United States District Court Judge

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| 2 | THOMPSON HOWLE VAUGHN |
| 3 | By: <u>/s Carol Vaughn</u> Carol Vaughn, WSBA No. 16579 |
| 4 | Attorneys for Plaintiff/Counterclaim Defendant Estate of Michael Cohen 1200 5th Ave., Ste. 625, Seattle, WA 98101 |
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| 6 | carolv@thompsonhowle.com |
| 7 | LEE SMART, P.S., INC. |
| 8 | By: /s Marc Rosenberg Marc Rosenberg, WSBA No. 31034 |
| 9 | Attorney for Crossclaim Defendant Carol Vaughn 1800 One Convention Place |
| 10 | 701 Pike Street, Seattle, WA 98101-3929 (206) 624-7990 |
| 11 | mr@leesmart.com |
| 12 | KELLER ROHRBACK L.L.P. |
| 13 | By: /s Eric Laliberte |
| 14 | Eric R. Laliberte, WSBA No. 44840 Attorney for Third-Party Defendants/Plaintiffs |
| 15 | Amara Cohen and Susan Cohen, Trustee of the Michael Arthur Cohen Spousal Equivalent |
| 16 | Access Trust 1201 Third Avenue, Suite 3400 |
| 17 | Seattle, WA 98101-3068 elaliberte@kellerrohrback.com |
| 18 | |
| 19 | U.S. DEPARTMENT OF JUSTICE TAX DIVISION |
| 20 | By∙/s Timothy Huether |
| 21 | By: <u>/s Timothy Huether</u> Timothy J. Huether <i>Attorney for Third-Party Defendant/Counterclaim</i> |
| 22 | Plaintiff United States of America P.O. Box 683 |
| 23 | Washington, D.C. 20044 202-307-2124 |
| 24 | Timothy.Huether@usdoj.gov |
| 25 | |
| 26 | |
| | THOMPSON HOWLE VAUGHN |

PRE-TRIAL ORDER -- 275 3:23-cv-6142-TMC

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By: /s Adrienne D. McEntee

Adrienne D. McEntee, WSBA #34061

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By: /s Jack B. Krona

Jack B. Krona, WSBA No. 42484

Attorney for Loren and Holland Cohen and Marital Community; Loren Cohen Trustee of LMC Family Trust; BR Real Estate Investments LLC, Two Bonney Ridge LLC, and PC Collections LLC 6509 46th Street NW Gig Harbor, WA 98335 (253) 341-9331

j-krona@yahoo.com

THOMPSON HOWLE VAUGHN

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|------------------------|--|--------------|----------|------|--------------|
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| 2 | I hereby certify that on March 31, 2025, I served a true and correct copy of the foregoing | | | | | | |
|------------|--|---|----------|--|--|--|--|
| 3 | document upon counsel of record, via the methods noted below, properly addressed as follows: | | | | | | |
| 4 | Adrienne D. McEntee, WSBA #34061 | Legal Messenger Facsimile | | | | | |
| 5 | Benjamin M. Drachler, WSBA #51021 | U.S. Mail Email/E-Service | | | | | |
| 6 | Terrell Marshall Law Group PLLC 936 N 34th St., Ste. 300 | (CM/ECF) | | | | | |
| 7 | Seattle, WA 98103-8869 amcentee@terrellmarshall.com | | | | | | |
| 8 | bdrachler@terrellmarshall.com Attorneys for Loren Cohen | | | | | | |
| 9 | Eric R. Laliberte, WSBA #44840 | Legal Messenger | | | | | |
| 10 | Perry Maybrown, WSBA #61550 Keller Rohrback, LLP | Facsimile U.S. Mail | | | | | |
| 11 | 1201 3rd Ave., Ste. 3400 Seattle, WA 98101-3052 | Email/E-Service (CM/ECF) | | | | | |
| 12 13 | elaliberte@kellerrohrback.com pmaybrown@kellerrohrback.com | | | | | | |
| 13 | Attorneys for Amara Cohen and Susan Cohen | | | | | | |
| 15 | Russell A. Knight, WSBA #40614 | Legal Messenger | | | | | |
| 16 | Smith Alling, P.S. 1501 Dock St. | Facsimile U.S. Mail | | | | | |
| 17 | Tacoma, WA 98402 rknight@smithalling.com | Email/E-Service (CM/ECF) | | | | | |
| 18 | Attorney for William Newcomer | Lagal Massagan | <u> </u> | | | | |
| 19 | Jack B. Krona, Jr., WSBA #42484 Law Offices of Jack B. Crona, Jr. | Legal Messenger Facsimile U.S. Mail | | | | | |
| 20 | 5020 Main St., Ste. H Tacoma, WA 98407 | Email/E-Service | | | | | |
| 21 | j_krona@yahoo.com Attorney for Loren Cohen, et al. | (CM/ECF) | | | | | |
| 22 | Timothy J. Huether Henry C. Darmstadter | Legal Messenger Facsimile | | | | | |
| 23 | US Department of Justice PO Box 683 | U.S. Mail Email/E-Service | | | | | |
| 24 | Ben Franklin Station Washington, DC 20044-0683 | (CM/ECF) | | | | | |
| 25 | Timothy.Huether@usdoj.gov; Western.Taxcivil@usdoj.gov | | | | | | |
| 26 | henry.c.darmstadter@usdoj.gov Attorneys for the United States | | | | | | |
| - | Thorneys for the Ontica states | | | | | | |

Document 271

Filed 04/10/25

Page 278 of 278

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Case 3:23-cv-06142-TMC